



# GRAND COUNTY COUNCIL REGULAR MEETING

Grand County Council Chambers  
125 East Center Street, Moab, Utah

## AGENDA

Tuesday, May 17, 2016

2:00 p.m.

- ❑ **Joint County Council-County Planning Commission Workshop**
  - A. Housing Workshop (Zacharia Levine, Community Development Director)

3:45 p.m.

- ❑ **Recess**

4:00 p.m.

- ❑ **Call to Order**
- ❑ **Pledge of Allegiance**
- ❑ **Approval of Minutes** (Diana Carroll, Clerk/Auditor)
  - B. April 29, 2016 (Joint City-County Council Meeting)
  - C. May 3, 2016 (Joint City-County Council & County Planning Commission Housing Workshop and County Council Meeting)
- ❑ **Ratification of Payment of Bills**
- ❑ **Elected Official Reports**
  - D. Treasurer's Office Report on Internal Controls, Investments and 2015 Collections (Chris Kauffman, Treasurer)
- ❑ **Council Administrator Report**
- ❑ **Department Reports**
  - E. 2015 Facilities Maintenance Report (Marvin Day, Supervisor)
- ❑ **Agency Reports**
- ❑ **Citizens to Be Heard**
- ❑ **Presentations** (none)
- ❑ **Discussion Items**
  - F. Calendar items and public notices (Bryony Chamberlain, Council Office Coordinator)
- ❑ **General Business- Action Items- Discussion and Consideration of:**
  - G. Approving property tax deferrals (Chris Kauffman, Treasurer)
  - H. Authorizing submission in 2016 of a match-required grant application to the Federal Lands Access Program (FLAP) for an alternative transportation project along the Colorado River, the Half-Mile Gap, for potential 2017 funding (Kimberly Schappert, Executive Director, Moab Trails Alliance & Zacharia Levine, Community Development Director)
  - I. Adopting proposed Ordinance approving the "Arroyo Crossing Rezone and Master Plan," a rezone from Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), such property located at 2022 Spanish Valley Drive, Moab, Utah (North of Resource Blvd), postponed from February 2, 2016 (Zacharia Levine, Community Development Director)
  - J. Adopting proposed Ordinance to amend Sections 3.1 and 3.2.2 of the Grand County Land Use Code (LUC) to permit a heliport at the Emergency Operations Center (EOC) (Zacharia Levine, Community Development Director)

- K. Adopting proposed Ordinance to amend Section 3.2.4G of the Grand County Land Use Code (LUC) to permit the acceptance of formation water at local disposal facilities and improve their regulation (Zacharia Levine, Community Development Director)
- L. Adopting proposed Ordinance to amend Section 3.3.2 of the Grand County Land Use Code (LUC) to encourage additional construction of Accessory Dwelling Units (ADUs) (Zacharia Levine, Community Development Director)
- M. Adopting proposed Ordinance to amend Section 4.4.10 of the Grand County Land Use Code (LUC) to remove open space requirements for Planned Unit Developments (PUD) (Zacharia Levine, Community Development Director)
- N. Adopting proposed Ordinance to amend Section 6.14 of the Grand County Land Use Code (LUC) to incorporate a definition of affordable housing (Zacharia Levine, Community Development Director)
- O. Adopting proposed Ordinance to amend Article 9 of the Grand County Land Use Code (LUC) to improve and streamline the administration of land use applications (Zacharia Levine, Community Development Director)
- P. Approving proposed letter to Congressman Bishop clarifying Grand County's position on the draft Public Lands Initiative (PLI) (Chairwoman Tubbs)
- Q. Approving proposed comments to the BLM on the Administrative Draft of the Moab Master Leasing Plan / Final Environmental Impact Statement (Council Member Baird)
- R. Approving Council membership/subscription renewals for 2016-2017 (Ruth Dillon, Council Administrator)
- Consent Agenda- Action Items**
  - S. Approving proposed contract amendment No. 1 between the State of Utah Administrative Office of the Courts and Grand County for Bailiff and Security Services for July 1, 2016 through June 30, 2017
  - T. Ratifying the Chair's signature on a letter of support submitted on behalf of the Moab Small Business Development Center and Business Resource Center for a Business Expansion and Retention (BEAR) grant proposal
- Public Hearings- Possible Action Items**
  - U. Public Hearing to hear public comment on a proposed Resolution approving a Conditional Use Permit (CUP) application for Red Cliffs RV Park, located at 1151 S. Highway 191, in a Highway Commercial Zone District (Community Development Representative)
- General Council Reports and Future Considerations**
- Closed Session(s)** (if necessary)
- Adjourn**
- See Municipal Building Authority (MBA) agenda**

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It is hereby the policy of Grand County that elected and appointed representatives, staff and members of Grand County Council may participate in meetings through electronic means. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.

At the Grand County Council meetings/hearings any citizen, property owner, or public official may be heard on any agenda subject. The number of persons heard and the time allowed for each individual may be limited at the sole discretion of the Chair. On matters set for public hearings there is a three-minute time limit per person to allow maximum public participation. Upon being recognized by the Chair, please advance to the microphone, state your full name and address, whom you represent, and the subject matter. No person shall interrupt legislative proceedings.

Requests for inclusion on an agenda and supporting documentation must be received by 5:00 PM on the Wednesday prior to a regular Council Meeting and forty-eight (48) hours prior to any Special Council Meeting. Information relative to these meetings/hearings may be obtained at the Grand County Council's Office, 125 East Center Street, Moab, Utah; (435) 259-1346.

A Council agenda packet is available at the local Library, 257 East Center St., Moab, Utah, (435) 259-1111 at least 24 hours in advance of the meeting.

# The Answer

SHELTERFORCE

**Q:** Do inclusionary zoning requirements halt development?

**A: No!** When inclusionary housing—a requirement that new housing development include some units affordable to low- and moderate-income households—is on the table, many people worry the added cost will grind development to a halt.

Not so. While the research isn't unanimous, it's close. Only one study has found a slight production decrease under certain limited conditions.<sup>1</sup> Six others found no effect<sup>2</sup> or even a small increase in multifamily production.<sup>3</sup>

Developers—though they don't like having to provide affordable housing—do so without much resistance. It is a highly desirable market. Most developers can still make good money even while providing additional units affordable to Park City's workforce.

—Rhoda J. Stauffer, Housing Specialist, Park City, Utah  
PROGRAM BEGAN: MID-1990S

Our affordable requirements haven't slowed down or stopped development in any discernable way.

—Sarah Stilleter, Senior Planner, City of Redmond, Wash.  
PROGRAM BEGAN: MID-1990S

We consider the county's affordable housing program to be one of many development requirements—no different from requirements for streets and sidewalks. Our program does not stop development. The population of Montgomery County has nearly doubled in the past 40 years.

—Stephanie Kilian, Manager, Affordable Housing Section, Rockville, Md.  
PROGRAM BEGAN: 1974

Inclusionary zoning has had little, if any, impact on the pace of residential development. Because it's mandatory, and Davidson such a desirable place to live, developers—although they dislike IZ—continue to build at a rapid pace.

—Cindy C. Reid, Staff Attorney/  
Affordable Housing Manager, Davidson, N.C.  
PROGRAM BEGAN: 2001

While San Francisco's inclusionary housing program was citywide law (2002–2013), an average of 1,983 residential units (affordable and market) were developed annually, despite the economic downturn. During the preceding 20 years, the average was only 1,257.

—Chandra Egan, Inclusionary Housing Program Manager, Mayor's Office of Housing and Community Development, San Francisco  
PROGRAM BEGAN: 1992; CITYWIDE LAW 2002

Every policy is going to cause tradeoffs of some sort, but all too often the predicted costs are overblown, and benefits shortchanged. Not having any place for teachers, fire fighters, or low-wage retail and service workers to live also imposes costs on an economy.<sup>4</sup>

- 1 "The Effects of Inclusionary Zoning on Local Housing Markets: Lessons from the San Francisco, Washington DC and Suburban Boston Areas," Center for Housing Policy and the Furman Center for Real Estate and Urban Policy, 2008, [www.nhi.org/go/29341](http://www.nhi.org/go/29341)
- 2 See, for example, "Can Inclusionary Zoning Be an Effective and Efficient Housing Policy? Evidence From Los Angeles and Orange Counties," *Journal of Urban Affairs*, May 2010, [www.nhi.org/go/73639](http://www.nhi.org/go/73639)
- 3 "Housing Market Effects of Inclusionary Zoning," *Cityscape*, Vol. 11, No. 2, Regulatory Innovation and Affordable Housing, 2009, [www.nhi.org/go/63215](http://www.nhi.org/go/63215)
- 4 "The Role of Affordable Housing in Creating Jobs and Stimulating Local Economic Development," Center for Housing Policy, 2011, [www.nhi.org/go/83476](http://www.nhi.org/go/83476); "A Long Way From Home: The Impacts of a Limited Supply of Workforce Housing in the Asheville Metropolitan Area," Center for Urban and Regional Studies, University of North Carolina, 2013, [www.nhi.org/go/AshevilleUNC](http://www.nhi.org/go/AshevilleUNC)

FOR MORE ON INCLUSIONARY ZONING, SEE:

- "Inclusionary Housing: A Viable Solution to the Affordable Housing Crisis?" Center for Housing Policy, October 2000, [www.nhi.org/go/56581](http://www.nhi.org/go/56581)
- "Zoning for Housing Justice," *Shelterforce*, Sept./Oct. 2003, [www.nhi.org/go/40754](http://www.nhi.org/go/40754)
- "Achieving Lasting Affordability Through Inclusionary Housing," Lincoln Institute of Land Policy, 2014, [www.nhi.org/go/67805](http://www.nhi.org/go/67805)

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# The Answer

SHELTERFORCE

**Q:** Do inclusionary housing requirements make housing prices go up for everyone else?

**A:** No, they do not.

**M**arket-rate developers are business people. They charge as much as the market will bear. When housing prices go up, they charge more; when housing prices go down, they ask less. Developers are “price-takers” not “price-setters” because they only control a tiny share of the housing market. A large majority of rental and for-sale housing is located in existing buildings, not in brand-new buildings, limiting the influence of new housing, and inclusionary requirements, on home prices.<sup>1</sup>



In California, jurisdictions that got rid of inclusionary requirements saw no decrease in housing prices, which would have been expected if the requirements had artificially raised prices.<sup>2</sup>

In “unique” markets and typical markets alike, the benefit of an inclusionary program is priceless—keeping homes accessible and affordable to families who want to stay in their communities and to the hard-working, lower-wage employees who keep the community running.

As with every rule, there are exceptions: In the special case of markets where housing choice is severely limited and people are willing to pay a premium to live there, economists believe that while prices for average or lower-cost homes still don't go up, prices of new homes in the top quartile can go up by 3–5 percent.<sup>3</sup> But even in these unusual markets that doesn't always happen. San Francisco, one of the hottest markets in the country, experienced no additional cost increases due to its inclusionary housing program.<sup>4</sup>

<sup>1</sup> A careful look at research that purports to show price increases shows that those studies, unlike the ones referenced here, relied on anecdotal or qualitative evidence and thus were not able to actually establish causality. For more, see Cornerstone Partnership, “Inclusionary Housing Policies: Price Effects on Housing,” [www.nhi.org/go/InclusionaryPrices](http://www.nhi.org/go/InclusionaryPrices).

<sup>2</sup> Holingshead, Ann. 2015. “When and How Should Cities Implement Inclusionary Housing Policies?” Univ. of California, Berkeley for the Cornerstone Partnership.

<sup>3</sup> Bento, Antonio, Scott Lown, Gerrit-Jan Knaap, and Anshu Chakraborty. 2009. “Housing Market Effects of Inclusionary Zoning.” *Cityscape*, 11.3. Regulatory Innovation and Affordable Housing, 7-26. Schuetz, Jenny, Rachel Metzler, and Vicki Been. 2009. “Silver Bullet or Trojan Horse? The Effects of Inclusionary Zoning on Local Housing Markets.” *Urban Studies*.

<sup>4</sup> Schuetz, Metzler, and Been. 2009.

For more detailed information on the economics, see The Cornerstone Partnership’s memo “Inclusionary Housing Policies: Price Effects on Housing,” [www.nhi.org/go/InclusionaryPrices](http://www.nhi.org/go/InclusionaryPrices).

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# Cornerstone Partnership

Keeping Homes Affordable & Communities Strong

## Best Practices for Inclusionary Housing Feasibility Studies

### Why complete a feasibility study?

When considering whether to adopt or revise an inclusionary housing policy, local government agencies often retain an economic consultant to prepare a feasibility study. These studies evaluate the economic tradeoffs involved in requiring a certain percentage of affordable units in new residential or mixed-use projects. These studies are intended to help policymakers ensure that new policies and programs are economically sound, will not deter development, and will deliver the types of new affordable units the local community needs.

### What is the difference between a feasibility study and a nexus study?

Feasibility studies are related, but distinct, from nexus studies. The goal of a feasibility study is to determine how a new inclusionary policy would affect market-rate housing development costs and profits. Local jurisdictions use nexus studies to establish housing development impact fees or commercial linkage fees to fund housing programs. The goal of a nexus study is to quantify the new demand for affordable housing that is generated by new commercial or market-rate housing development.

According to the standard set by a pair of U.S. Supreme Court cases, *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*, together known as *Nollan/Dolan*, municipalities imposing a fee program must meet two requirements. First, there must be an “essential nexus” between the impact of the development and the required fee. Second, the fee must be “roughly proportional” to the impact of the development. Municipalities may address these requirements using a nexus study.

In general, cities should undertake a nexus study when implementing any inclusionary housing policy to meet the widely accepted and relatively robust standard under the Supreme Court ruling in *Penn Central Transportation Co. v. New York City*. Under *Penn Central*, inclusionary policies can vary significantly in terms of their impacts on developers as long as they leave property owners with some profitable use of their properties.

Nexus studies are legally advisable prior to implementation of development impact fees in some states. Feasibility studies are generally advisable for both inclusionary housing policies and housing development impact fees.

### What goes into a feasibility study?

Every study differs based on the needs and market conditions of the specific area. In general, however, they follow a similar outline, as follows:

- 1) **Introduction and Policy Context:** A description of the purpose and scope of the study.
- 2) **Background Economic Trends and Market Conditions:** An in-depth analysis of the local economy and the market conditions affecting residential development.

- 3) **Economic Analysis of Hypothetical Development Project:** Based on prevailing economic conditions and using assumptions from the market analysis, a feasibility analysis uses development pro formas to test the economic impact of varying inclusionary requirements on hypothetical development projects or prototypes. In short, this process models how inclusionary requirements might affect the bottom line profitability of market-rate residential development. This section should also include a sensitivity analysis. In the sensitivity analysis, assumptions from the market analysis—loan interest rates, for example—are dialed to their highest and lowest reasonable levels to examine how sensitive the final estimates of profitability are to variations in cost and revenue assumptions.
- 4) **Findings and Recommendations:** The financial feasibility analysis will include a conclusion that discusses the likely effect of requiring various percentages of affordable units at varying affordability levels in combination with certain types of developer incentives.

### Best practice standards for inclusionary housing feasibility studies

Cornerstone Partnership has prepared the following best practices for designing and preparing inclusionary housing feasibility studies. This list is based on a review and analysis of professional feasibility studies and policy reports from across the United States. These standards are meant to help advocates and policymakers design effective requests for proposals and to inform the development of scopes of work for inclusionary housing economic feasibility studies.

- 1) **Introduction and Policy Context**
  - Studies should make their purpose clear at the outset and describe the policy context that frames the need for an economic analysis. For example, suppose a community is looking to revise an existing inclusionary housing policy or program to achieve more production or deeper levels of affordability. In this case, the introduction should describe these specific policy challenges and how the study will address them.
- 2) **Background Analysis and Assumptions**
  - Studies should include an outreach component to gather feedback from local real estate experts, developers, and affordable housing stakeholders. The purpose of this outreach is two-fold: (1) to gain buy-in and legitimacy from the real-estate and development community; and (2) to refine assumptions about development costs and revenues beyond what is available through publicly accessible data sources.
  - Studies should include a detailed description of all cost assumptions and other data points. To the extent possible, feasibility analyses should not consist of “black box” models with proprietary methodologies that are difficult to understand or evaluate. For example, if a report uses a capitalization rate to derive the value of a hypothetical rental project, that rate should be clearly shown and the rationale for selecting that rate clearly explained.
- 3) **Analysis of Hypothetical Development Projects**
  - Studies should clearly describe the proposed methodology for analyzing the economic feasibility of inclusionary housing policies or programs. A project is economically feasible when it is predicted to reap adequate profit to warrant the risk of large up-front investments for land, entitlements, and construction. Adequate profit, also known as the development “hurdle rate,” is measured in one of several ways. The most common measures are: internal rate of return, percent of construction costs, percent of total development costs, or percent return on equity. Cornerstone typically recommends that feasibility studies use a percent of total development costs as a measure of profitability. This measure is the most common and transparent. Regardless of the metric selected,

consultants should justify their measure of profitability as well as the hurdle rate (e.g., 12%-15%) that they use to define feasibility.

- Studies should include the preparation of hypothetical development prototypes or pro formas to test the feasibility of inclusionary housing policies under varying market conditions and development scenarios.
- Feasibility models should be structured to allow for the testing of alternative levels of affordability in combination with incentives. In addition to allowing for an adjustment of the total number of affordable units, models should allow for mixing affordability levels by Area Median Income (AMI) and unit type.

#### 4) Findings and Recommendations

- With reference to the key policy questions initially posed in the introduction, studies should make clear findings about the economic viability of different policy structures and requirements.
- Final reports should include an Executive Summary which clearly presents findings and recommendations in language that is accessible to non-experts.



# Inclusionary Housing Program Design Worksheet

## Part 1: Defining the Need

Pick one or two of the following primary policy reasons for adopting an inclusionary housing policy in your community.

- Affordable Housing Needs and Obligations
- Socioeconomic Integration
- Workforce Retention and Attraction
- Support Transit Oriented Development
- Anti-Displacement

Most communities that adopt Inclusionary Housing policies do so to address a lack of housing for low- and moderate-income households. Many also adopt Inclusionary Housing to meet community-specific needs such as socioeconomic integration.

## Part 2: Program Structure

Type of Program

- Mandatory
- Voluntary

Mandatory policies require developers to provide some percentage of affordable housing in all new developments covered by the policy. Some States prohibit mandatory ordinances. Voluntary ordinances provide incentives to developers to include affordable units in their projects.

Geographic Coverage

- Whole Jurisdiction
- Geographically Targeted Areas

Most ordinances apply to the entire jurisdiction. Some places with specific market conditions and needs target parts of the jurisdiction using planning area designations or economic and market metrics.

Type/Tenure of Development

- Ownership
- Rental
- Both

Depending on the legal and market conditions of a given community, Inclusionary Housing policies sometimes only apply to rental or homeownership types of projects. In most communities, both types of tenure are included in the ordinance.

Project Threshold Size

- All Projects
- 5-10 Units
- 10+ Units
- Other \_\_\_\_\_

Also known as the "trigger," this is the minimum size of project that is covered by the policy. 10 units is the most common trigger size, but it can vary widely and is sometimes different for rental and ownership types of projects.





# Inclusionary Housing Program Design Worksheet

## Part 3: Detailed Policy Choices

Percentage of Units Which Must be Affordable (Pick One) . . . . .

- 5%
- 10%
- 15%
- 20%
- 25%
- 30%
- Other \_\_\_\_\_

This is the overall percentage of units within an otherwise market-rate development that must be affordable to households earning below some defined income level. Most policies require between 10 and 20 percent of all units to be affordable.

Affordability Level Rental Units (Pick One) . . . . .

- 0-30% AMI
- 31-50% AMI
- 51-80% AMI

This is the income level that households must earn in order to be eligible to live in inclusionary units. Affordability is most commonly defined as a percentage of Area Median Income (AMI) as defined by HUD. For rental units, affordability levels below 60% AMI are typical and for ownership units affordability levels between 80% to 100% of AMI are typical.

Ownership Units (Pick One)

- 51-80% AMI
- 81-100% AMI
- 101-120% AMI

Duration of Affordability Requirements (Pick One) . . . . .

- Less than 30 years
- 50 Years
- 99 Years or In-Perpetuity
- Different Standards for Rental and Ownership?

This is the period during which inclusionary units must be maintained as affordable through deed restrictions or affordability covenants. In order to stretch scarce public resources, many jurisdictions are opting for longer affordability periods. These also sometimes vary by housing tenure.

Design Standards (Pick One) . . . . .

- Exact Comparability
- Flexibility
- Different Standards for Rental and Ownership?

Many places require exact comparability between market-rate units and inclusionary units to ensure equity for lower-income renters and homeowners. Other places have found it practical to allow some flexibility, particularly in case where luxury unit finishes would result in extraordinary spending on inclusionary units that could be better leveraged in other ways.



# Inclusionary Housing Program Design Worksheet

## Part 4: Incentives

Select and Describe Up to Three Incentives .....

- Density Bonus Increase (DU/ACRE) (%)  
\_\_\_\_\_
- Parking Ratio Reduction (%)  
\_\_\_\_\_
- Other Zoning Variance (Describe)  
\_\_\_\_\_
- Expedited Processing (In Months)  
\_\_\_\_\_
- Fee Reduction/Waiver (Total \$/Unit)  
\_\_\_\_\_
- Subsidy (Total \$/Unit)  
\_\_\_\_\_
- Tax Abatement (Value and Term of Abatement)  
\_\_\_\_\_

The most common incentive is a density bonus to allow developers to build additional market-rate units to offset the reduced revenues from inclusionary units. Density bonuses are typically given as an increase in allowed dwelling units per acre (DU/A) or floor area ratio (FAR). In some places, density is not a meaningful incentive in of itself and other types of cost offsets are needed.

## Part 5: Compliance Alternatives ( Yes or No )

In- Lieu Fees:  Yes  No .....

### Off-Site Performance:

- Partnerships with Nonprofits:  Yes  No
- Land Dedication:  Yes  No

For practical and legal reasons, many places allow developers to pay fees in-lieu of building inclusionary units on-site. These in-lieu fees can be leveraged by local jurisdictions and nonprofit developers to build affordable housing. Off-site performance is another alternative where developers arrange for the units to be built off-site, typically by either partnering with another developer or by dedicating or donating land.





## The Economics of Inclusionary Housing Policies and Impact Fees

*A Literature Review*

This list summarizes peer-reviewed studies and other academic articles from the economics and planning literature relevant to inclusionary housing policies. In general, these studies address the market effects of both impact fees and inclusionary housing policies, including their effects on housing production, housing prices, and land values.

### Most Relevant Studies

**Baden, Brett M. and Don L. Coursey. 1999. An Examination of the Effects of Impact Fees on Chicago's Suburbs. Harris School Working paper 99, 20, University of Chicago, Harris Institute.**

Using sales from new and existing homes in the Chicago area, the authors find positive effects of impact fees on housing prices with impacts that are larger than the size of the fee itself.

**Bento, Antonio, Scott Lowe, Gerrit-Jan Knaap, and Arnab Chakraborty. 2009. "Housing Market Effects of Inclusionary Zoning" *Cityscape*, 11.2, Regulatory Innovation and Affordable Housing 7-26.**

In a study of California between 1988 and 2005, Bento, Lowe, Knaap, and Chakraborty (2009) find that inclusionary housing policies had a positive effect on the price of single-family houses, increasing prices by about 2 to 3 percent. This analysis controls for city-level characteristics that do not vary over time (e.g., a city's location or proximity to amenities) and characteristics that are uniform across cities but varying by year (e.g., a recession). This analysis does not control for unobserved characteristics that vary both by time and location.

The authors also find that cities with inclusionary housing policies did not experience a significant reduction in the rate of single-family housing starts; however, they did experience a marginally significant increase in multi-family housing starts.

**Burge, Gregory S. and Keith R. Ihlanfeldt. 2006a. "Impact Fees and Single-Family Home Construction" *Journal of Urban Economics*, 60, 284-306.**

**Burge, Gregory S. and Keith R. Ihlanfeldt. 2006b. "The Effects of Impact Fees on Multifamily Housing Construction" *Journal of Regional Science*, 46, 5-23.**

These studies find \$1.00 of impact fees will increase the price of small, medium, and large sized homes by \$0.39, \$0.82, and \$1.27, respectively. Impact fees result in housing price increases when homeowners capitalize the tax burden and infrastructure enhancements into the price of the home.

The authors also find impact fees earmarked for public services otherwise funded through property tax revenues increase construction of small homes within inner suburban areas and have a negligible impact on construction rates in central city and rural areas.

California Coalition for Rural Housing and the Non-Profit Housing Association of Northern California. 2004. "Inclusionary Housing in California: 30 Years of Innovation." *Inclusionary Zoning: The California Experience*. National Housing Conference 3 (1).

The authors examine 107 inclusionary zoning policies in California and did not find any evidence that the policies slowed development.

Delaney, Charles J. and Marc T. Smith. 1989a. "Impact Fees and the Price of New Housing: An Empirical Study." *AREUEA Journal*, 17, 41-54.

Delaney, Charles J. and Marc T. Smith, 1989b. "Pricing Implications of Development Exactions on Existing Housing Stock." *Growth and Change*, 20, 1-12.

In the above pair of studies of Dunedin, Florida in 1974, the authors find that impact fees raise the price of new homes by about three times the size of the fee.

Dresch, Maria and Steven M. Sheffrin. 1997. *Who Pays for Development Fees and Exactions*. San Francisco, California: Public Policy Institute of California.

Using data from Contra Costa, California, the authors find an additional \$1 of impact fees increases the price of new homes by \$1.88.

Evans-Cowley, Jennifer S., and Larry L. Lawhon. 2003. "The Effects of Impact Fees on the Price of Housing and Land: A Literature Review," *Journal of Planning Literature*. Vol. 17: 351-359.

Impact fees result in housing price increases when homeowners capitalize the tax burden and infrastructure enhancements into the price of the home. The authors also note that impact fees contribute to housing price increases in communities where no reasonable housing substitutes exist.

Evans-Cowley, Jennifer S., Fred A. Forgey, and Ronald C. Rutherford. 2005. "The Effect of Development Impact Fees on Land Values." *Growth and Change*, 36, 100-112.

Using data from Texas, the authors find weak statistical evidence that impact fees decrease the value of undeveloped land. They estimate a \$1,000 residential impact fee would increase the price of residential lots by 1.3 percent, but reduce the price of undeveloped land by 0.042 percent.

Ihlanfeldt, Keith R. and Timothy M. Shaughnessy. 2004. "An Empirical Investigation of the Effects of Impact Fees on Housing and Land Markets." *Regional Science and Urban Economics*. 34(6), 639-661.

With data from Dade County, Florida the authors find that \$1.00 of fees increases the price of both new and existing housing by about \$1.60. They also find that \$1.00 of fees reduces the price of land by about \$1.00.

Knapp, Gerrit-Jan, Antonio Bento and Scott Lowe. 2008. *Housing Market Impacts of Inclusionary Zoning*. College Park, MD: National Center for Smart Growth Research and Education.

Using evidence from California, the authors find that, in jurisdictions with inclusionary housing policies, housing prices increase on average by 2.2 percent. These authors also find inclusionary

housing programs raise prices by about 5 percent for above-median priced houses, but for below-median price households, they lower prices by about 0.8 percent.

**Mathur, Shishir, Paul Waddell, and Hilda Blanco. 2004. "The Effect of Impact Fees on the Price of New Single-Family Housing." *Urban Studies*, 41 (7), 1303-1312.**

The authors estimate the differential effects of impact fees on housing prices based on housing quality. Using data from King County, Washington, they find the effect varies greatly for homes of different quality. While on average, they find \$1.00 of impact fees raises new home prices by \$1.66, for higher-quality homes the effect is \$3.58, and they find no effect for lower-quality homes.

**Mayer, Christopher J. and C. Tsuriel Somerville. 2000. "Land Use Regulation and New Construction" *Journal of Urban Economics*, 48 (1), 85-109.**

The authors investigate impact fees in a broader context of housing regulations. Their findings suggest that municipalities with more extensive regulations can have up to 45 percent fewer starts, but impact fees themselves have relatively little effect on new construction. Rather, they note, it is regulations that lengthen the development process or otherwise constrain new development have more significant effects on housing production.

**Mukhija, Vinit, Lara Regus, Sara Slovin, and Ashok Das. 2010. "Can inclusionary zoning be an effective and efficient housing policy? Evidence from Los Angeles and Orange Counties." *Journal of Urban Affairs* 32.2, 229-252.**

The authors compare 17 different municipalities with inclusionary housing policies adopted over a period of 35 years. The authors find no statistically significant evidence of inclusionary zoning's adverse effect on housing supply in cities with inclusionary mandates. The authors conclude that critics of inclusionary housing policy "overestimate its adverse effects on housing supply."

**Nelson, Arthur C., Jane H. Lillydahl, James E. Frank, and James C. Nicholas. 1992. "Price Effects of Road and Other Impact Fees on Urban Land." *Transportation Research Record* 1305, 36-41.**

The authors find positive effects of impact fees on the price of land, but note the effect differs dramatically across selected housing markets.

**Powell, Benjamin and Edward Stringham. 2004a. "Housing Supply and Affordability: Do Affordable Housing Mandates Work?" Los Angeles: Reason Public Policy Institute, Policy Study No. 318.**

**Powell, Benjamin and Edward Stringham. 2004b. "Do Affordable Housing Mandates Work? Evidence from Los Angeles County and Orange County." Los Angeles: Reason Public Policy Institute, Policy Study No. 318.**

Together, the two above studies offer the most robust findings that associate inclusionary housing policies with negative effects on housing production. On average, they find that, in cities with inclusionary housing policies, permits declined 10 to 30 percent in the seven years after the policies were adopted.

**Rosen, David. 2004. "Inclusionary Housing and its Impacts on Housing and Land Markets." 2004. *Inclusionary Zoning: The California Experience*. National Housing Conference 3 (1).**

The author analyzes building permit data to examine the effect of inclusionary housing policies on the pace of development. He finds no negative effect on overall production.

Schuetz, Jenny, Rachel Metzler, and Vicki Been. 2009. "Silver Bullet or Trojan Horse? The Effects of Inclusionary Zoning on Local Housing Markets." *Urban Studies*.

In a study of inclusionary housing, Schuetz et al. (2009) examine the impact of these policies on prices and production of market-rate housing production in Boston and San Francisco. The authors find a minor effect of inclusionary housing on housing production in Boston and no evidence in the Bay Area.

In Boston, Schuetz et al. (2009) find that a 1 percent increase in the age of a program leads to a 1.4 percent increase in the prices of single family homes. In their simplest model, they find no effect of inclusionary housing policies on prices in San Francisco, although this result is nuanced in the presence of a more sophisticated model. They also find that inclusionary housing policies led to increased prices during periods of housing appreciation, but decreases in prices in cooler markets.

Skaburskis, Andrejs and Mohammad Qadeer. 1992. "An Empirical Estimation of the Price Effects of Development Impact Fees." *Urban Studies* 5, 653-667.

Using evidence from Toronto, Canada, the authors find housing price increases attributable to impact fees were related to city growth rates. In their results, faster city growth rates are associated with a lower price effect of impact fees. They also conclude that lot prices increase by \$1.20 for each \$1.00 of impact fee.

Skidmore, Mark and Michael Peddle. 1998. "Do Development Impact Fees Reduce the Rate of Residential Development?" *Growth and Change* 29 (3), 383-400.

The authors use data from DuPage County, Illinois in the early 1990s. They conclude that impact fees reduce rates of residential development by more than 25 percent.

### Additional Peer Reviewed Studies

Altshuler, Alan A. and Jose' A. Gomez-Ibañez. 1993. *Regulation for Revenue: The Political Economy of Land Use Exactions*. Washington D.C.: Brookings Institution and Cambridge, MA: Lincoln Institute of Land Policy.

Basolo, Victoria and Nico Calavita. 2004. "Policy Claims with Weak Evidence: A Critique of the Reason Foundation Study on Inclusionary Housing in the San Francisco Bay Area." Working paper.

Burge, Gregory. 2008. "Impact Fees in Relation to Housing Prices and Affordable Housing Supply," chapter in *A Guide to Impact Fees and Housing Affordability*. Editors A. Nelson, J. Juergensmeyer, J. Nicholas, and L. Bowles, Island Press.

Been, Vicki. 2005. "Impact Fees and Housing Affordability" *Citiescapes*, 8, 139.

Calavita, Nico and Kenneth Grimes. 2007. "Inclusionary Housing in California: The Experience of Two Decades." *Journal of the American Planning Association*, 64 (2), 150-169.

Clapp, John M. 1981. "The Impact of Inclusionary Zoning on the Location and Type of Construction Activity." *AREUEA Journal*, 9: 436-456.

Commented [LM1]: Should there be a comma or period here

Downing, Paul B. and Thomas S. McCaleb. 1987. "The Economics of Development Exactions." In *Development Exactions*, edited by James E. Frank and Robert M. Rhodes, 42-69, Washington D.C.: Planners Press.

Ellickson, Robert C. 1981. "The Irony of 'Inclusionary' Zoning." *Southern California Law Review* 54(6): 1167-1216.

Huffman, Forrest E., Arthur C. Nelson, Marc T. Smith, and Michael A. Stegman. 1988. "Who Bears the Burden of Development Impact Fees?" *Journal of the American Planning Association*, 54, 49-55.

Ihlanfeldt, Keith R. 2004. "Exclusionary Land-use Regulations within Suburban Communities: A Review of the Evidence and Policy Prescriptions." *Urban Studies*, 41(2), 261-283.

Mallach, Alan. 1984. *Inclusionary Housing Programs: Policies and Practices*. New Brunswick, NJ: Center for Urban Policy Research, Rutgers University.

Padilla, Laura. 1995. "Reflections on Inclusionary Housing and a Renewed Look at its Viability." *Hofstra Law Review* 23 (3), 539-626.

Powell, Benjamin and Edward Stringham. 2005. "The Economics of Inclusionary Zoning Reclaimed: How Effective Are Price Controls?" *Florida State University Law Review* 33 (2).

Read, Dustin. 2009. "The Structure and Potential Economic Effects of Inclusionary Zoning Ordinances." *Real Estate Issues* 34 (2), 1-9.

Singell, Larry D. and Jane H. Lillydahl. 1990. "An Empirical Examination of the Effect of Impact Fees on the Housing Market." *Land Economics* 66 (1), 82-92.

Snyder, Thomas P., Michael A. Stegman, and David H. Moreau. 1986. *Paying for Growth: Using Development Fees to Finance Infrastructure*. Washington, D.C.: Urban Land Institute.

# GRAND COUNTY BILLS TO APPROVE

May 17, 2016

92514-92566		5/5/2016	\$259,438.09
92567-92696		5/13/2016	\$479,214.14

**TOTAL BILLS** **\$738,652.23**

32484-32502			
51316101-51316300	4/25/16-5/8/16	5/11/2016	\$188,090.52

**TOTAL PAYROLL** **\$188,090.52**

**TOTAL BILLS & PAYROLL** **\$926,742.75**

## Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>ARMSTRONG CONSULTANTS, INC.</b>						
10855	ARMSTRONG CONSULTANTS, I	16-156286-01	TAXIWAY UPGRADES	24,750.00	.00	
10855	ARMSTRONG CONSULTANTS, I	16-156308-02	AIRPORT ENVIRONMENTAL AS	71,817.60	.00	
Total ARMSTRONG CONSULTANTS, INC.:				96,567.60	.00	
<b>BEST WESTERN PARADISE INN</b>						
35146	BEST WESTERN PARADISE INN	68572	LODGING/MICHAEL JOHNSON	71.96	.00	
35146	BEST WESTERN PARADISE INN	68572	TAX	6.66	.00	
Total BEST WESTERN PARADISE INN:				78.62	.00	
<b>BLOMQUIST HALE CONSULTING INC.</b>						
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Airport	14.00	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Assessor	11.20	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Bldg. Inspector	8.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Clerk/Auditor	16.80	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Courthouse	16.80	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Human Resources	2.80	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Jail	36.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Library	47.60	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Planning	8.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Roads	53.20	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Search & Rescue	64.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Sheriff	56.00	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Treasurer	5.60	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Ambulance	89.60	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Attorney	14.00	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Child Justice Ctr.	2.80	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-County Administration	8.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Family Support	14.00	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-IT	2.80	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Justice Court	11.20	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Travel Council	11.20	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Recorder	8.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Sandflats	36.40	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Senior Citizens	19.60	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Spanish Trail Arena	14.00	.00	
34325	BLOMQUIST HALE CONSULTIN	MAY16063	EAC-Weed Control	11.20	.00	
Total BLOMQUIST HALE CONSULTING INC.:				585.20	.00	
<b>BROADWAY MEDIA SLC</b>						
34258	BROADWAY MEDIA SLC	IN-1160434847	MOAB TRAVEL COUNCIL	3,200.00	.00	
34258	BROADWAY MEDIA SLC	IN1160434848	MOAB TRAVEL COUNCIL	4,200.00	.00	
Total BROADWAY MEDIA SLC:				7,400.00	.00	
<b>CANYON COLOR GRAPHICS</b>						
30518	CANYON COLOR GRAPHICS	7519	SAND FLATS	134.41	.00	
Total CANYON COLOR GRAPHICS:				134.41	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>CDW GOVERNMENT INC.</b>						
12830	CDW GOVERNMENT INC.	CNQ4325	GRAND CENTER	30.18	.00	
12830	CDW GOVERNMENT INC.	BRC2340	SHERIFF	292.00	.00	
12830	CDW GOVERNMENT INC.	CNL7237	GRAND CENTER	261.09	.00	
Total CDW GOVERNMENT INC.:				583.27	.00	
<b>CENTURYLINK</b>						
33538	CENTURYLINK	1373334927	911 WIRELESS	.23	.00	
33538	CENTURYLINK	APR 19 2016	911 WIRELESS	1,546.91	.00	
Total CENTURYLINK:				1,547.14	.00	
<b>COMCAST SPOTLIGHT MOUNTAIN</b>						
32756	COMCAST SPOTLIGHT MOUNT	WC564108	TRAVEL COUNCIL	12,589.50	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC564306	TRAVEL COUNCIL	1,404.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC565129	TRAVEL COUNCIL	3,700.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC567611	TRAVEL COUNCIL	220.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT2225750	TRAVEL COUNCIL	491.33	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT2223514	TRAVEL COUNCIL	6,325.10	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT11157918	TRAVEL COUNCIL	6,775.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC564108	TRAVEL COUNCIL	12,589.50	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC564306	TRAVEL COUNCIL	1,404.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC565129	TRAVEL COUNCIL	3,700.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WC567611	TRAVEL COUNCIL	220.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT2225751	TRAVEL COUNCIL	821.67	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT2224148	TRAVEL COUNCIL	1,542.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT2223513	TRAVEL COUNCIL	6,313.00	.00	
32756	COMCAST SPOTLIGHT MOUNT	WT11157919	TRAVEL COUNCIL	3,597.00	.00	
Total COMCAST SPOTLIGHT MOUNTAIN:				61,692.10	.00	
<b>CRAFCO, INC.</b>						
33634	CRAFCO, INC.	05605379	ROAD	18,567.99	.00	
Total CRAFCO, INC.:				18,567.99	.00	
<b>CULLIGAN OF PRICE</b>						
13815	CULLIGAN OF PRICE	405034	ROAD DEPT	29.76	.00	
13815	CULLIGAN OF PRICE	405325	ROAD DEPT	23.91	.00	
13815	CULLIGAN OF PRICE	APRIL 2016	ROAD DEPT/RENT	12.00	.00	
Total CULLIGAN OF PRICE:				65.67	.00	
<b>CUMULUS BROADCASTING UTAH</b>						
33685	CUMULUS BROADCASTING UT	685628	MOAB TRAVEL COUNCIL	3,453.00	.00	
33685	CUMULUS BROADCASTING UT	685533	MOAB TRAVEL COUNCIL	569.00	.00	
Total CUMULUS BROADCASTING UTAH:				4,022.00	.00	
<b>CWOA</b>						
35050	CWOA	19063	MOAB TRAVEL COUNCIL	575.00	.00	
Total CWOA:				575.00	.00	
<b>DENCO SECURITY</b>						
30521	DENCO SECURITY	88766	STAR HALL SECURITY	24.95	.00	
30521	DENCO SECURITY	88765	LIBRARY	22.95	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
30521	DENCO SECURITY	88761	GRAND CENTER	22.95	.00	
Total DENCO SECURITY:				70.85	.00	
<b>ENTERCOM CALIFORNIA</b>						
34752	ENTERCOM CALIFORNIA	539225-3	MOAB TRAVEL COUNCIL	1,500.00	.00	
34752	ENTERCOM CALIFORNIA	539214-3	MOAB TRAVEL COUNCIL	2,200.00	.00	
34752	ENTERCOM CALIFORNIA	534837-3	MOAB TRAVEL COUNCIL	1,335.00	.00	
34752	ENTERCOM CALIFORNIA	539225-3	MOAB TRAVEL COUNCIL	1,500.00	.00	
34752	ENTERCOM CALIFORNIA	539214-3	MOAB TRAVEL COUNCIL	2,200.00	.00	
34752	ENTERCOM CALIFORNIA	534837-3	MOAB TRAVEL COUNCIL	1,335.00	.00	
Total ENTERCOM CALIFORNIA:				10,070.00	.00	
<b>FEDEX</b>						
15375	FEDEX	5-399-40235	travel cnl postage	34.10	.00	
Total FEDEX:				34.10	.00	
<b>GALE GROUP, THE</b>						
15875	GALE GROUP, THE	57771663	LIBRARY	20.39	.00	
15875	GALE GROUP, THE	57897537	LIBRARY	36.40	.00	
Total GALE GROUP, THE:				56.79	.00	
<b>GIZLER, ELAINE</b>						
34892	GIZLER, ELAINE	MAY 3-4 2016	PER DIEM	92.00	.00	
Total GIZLER, ELAINE:				92.00	.00	
<b>GONZO INN</b>						
32499	GONZO INN	80369	TRAVEL COUNCIL	84.04	.00	
32499	GONZO INN	80369	TRAVEL COUNCIL	606.60	.00	
Total GONZO INN:				690.64	.00	
<b>GSI INC.</b>						
35145	GSI INC.	0316-4033000	IT	223.68	.00	
Total GSI INC.:				223.68	.00	
<b>HAYCOCK, CONNIE BREWER</b>						
29419	HAYCOCK, CONNIE BREWER	MAY 4,5 2016	MILEAGE	202.12	.00	
Total HAYCOCK, CONNIE BREWER:				202.12	.00	
<b>IHEART MEDIA-PORTLAND</b>						
31560	IHEART MEDIA-PORTLAND	1001433237	MOAB TRAVEL COUNCIL	1,200.00	.00	
31560	IHEART MEDIA-PORTLAND	1001433236	MOAB TRAVEL COUNCIL	6,645.00	.00	
Total IHEART MEDIA-PORTLAND:				7,845.00	.00	
<b>INCONTACT, INC.</b>						
32140	INCONTACT, INC.	335544	TRAVEL COUNCIL	217.97	.00	
Total INCONTACT, INC.:				217.97	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>INTERNATIONAL SPORTSMENS EXPO</b>						
30718	INTERNATIONAL SPORTSMEN	20170327-1	MOAB TRAVEL COUNCIL	475.00	.00	
30718	INTERNATIONAL SPORTSMEN	20170327-1	MOAB TRAVEL COUNCIL	475.00	.00	
Total INTERNATIONAL SPORTSMENS EXPO:				950.00	.00	
<b>KCCL</b>						
34721	KCCL	12165	MOAB TRAVEL COUNCIL	1,435.00	.00	
34721	KCCL	12165	MOAB TRAVEL COUNCIL	1,435.00	.00	
Total KCCL:				2,870.00	.00	
<b>KNEPPER, ROLAND</b>						
35147	KNEPPER, ROLAND	APR 27 2016	REFUND OF BAIL/RITA KNEPPE	800.00	.00	
Total KNEPPER, ROLAND:				800.00	.00	
<b>LAMAR COMPANIES, THE</b>						
30194	LAMAR COMPANIES, THE	106994980	TRAVEL COUNCIL	2,900.00	.00	
Total LAMAR COMPANIES, THE:				2,900.00	.00	
<b>LAW ENFORCEMENT TARGETS, INC.</b>						
35091	LAW ENFORCEMENT TARGETS	0309299-IN	SHERIFF	429.98	.00	
35091	LAW ENFORCEMENT TARGETS	0308529-IN	SHERIFF	768.02	.00	
Total LAW ENFORCEMENT TARGETS, INC.:				1,198.00	.00	
<b>MCCANDLESS TRUCKING CENTER</b>						
34681	MCCANDLESS TRUCKING CEN	P105008580:0	ROAD	154.95	.00	
34681	MCCANDLESS TRUCKING CEN	S105001088:0	ROAD	299.20	.00	
Total MCCANDLESS TRUCKING CENTER:				454.15	.00	
<b>MECH TECH TOOLS, LLC</b>						
34906	MECH TECH TOOLS, LLC	5028	SHERIFF	688.38	.00	
Total MECH TECH TOOLS, LLC:				688.38	.00	
<b>MHC KENWORTH-GRAND JUNCTION</b>						
20555	MHC KENWORTH-GRAND JUNC	T34560067789	ROAD	33.70	.00	
20555	MHC KENWORTH-GRAND JUNC	T34560067901	ROAD	1,110.31	.00	
Total MHC KENWORTH-GRAND JUNCTION:				1,144.01	.00	
<b>MOAB FAMILY MEDICINE</b>						
31276	MOAB FAMILY MEDICINE	FEB 3 2016	LOGAN STEWART DOT EXAM	148.00	.00	
Total MOAB FAMILY MEDICINE:				148.00	.00	
<b>MOAB FORD</b>						
12905	MOAB FORD	6025192	MMAD PARTS	919.76	.00	
Total MOAB FORD:				919.76	.00	
<b>MOAB HEAT N COOL, LLC</b>						
30302	MOAB HEAT N COOL, LLC	11542	TRAVEL COUNCIL	394.20	.00	
30302	MOAB HEAT N COOL, LLC	11543	JAIL	94.50	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
Total MOAB HEAT N COOL, LLC:				488.70	.00	
<b>MURRAY JUSTICE COURT</b>						
33964	MURRAY JUSTICE COURT	MAY 4 2016	WARRANT#2018087-KYLIE BAIL	375.00	.00	
Total MURRAY JUSTICE COURT:				375.00	.00	
<b>NORTHWEST INDUSTRIAL EQUIP</b>						
21945	NORTHWEST INDUSTRIAL EQU	201604021	ROAD DEPT SUPPLIES	385.40	.00	
Total NORTHWEST INDUSTRIAL EQUIP:				385.40	.00	
<b>ONEBIRD</b>						
34718	ONEBIRD	830	MOAB TRAVEL COUNCIL	326.70	.00	
Total ONEBIRD:				326.70	.00	
<b>OUTDOOR UTAH VACATION GUIDE</b>						
29763	OUTDOOR UTAH VACATION G	4596	TRAVEL COUNCIL	4,950.00	.00	
Total OUTDOOR UTAH VACATION GUIDE:				4,950.00	.00	
<b>SAMMONS TRANSPORTATION INC.</b>						
35144	SAMMONS TRANSPORTATION I	05022016	ROAD	2,000.00	2,000.00	05/03/2016
Total SAMMONS TRANSPORTATION INC.:				2,000.00	2,000.00	
<b>SAN JUAN CO JUSTICE COURT</b>						
24415	SAN JUAN CO JUSTICE COURT	APR 27 2016	WARRANT#145200146-BEAU D	205.00	.00	
Total SAN JUAN CO JUSTICE COURT:				205.00	.00	
<b>SANDY JUSTICE COURT</b>						
35148	SANDY JUSTICE COURT	MAY 3 2016	WARRANT#2014122-KYLIE BAIL	175.00	.00	
Total SANDY JUSTICE COURT:				175.00	.00	
<b>SECURUS TECHNOLOGIES</b>						
31410	SECURUS TECHNOLOGIES	148423	JAIL/INMATES	1,049.42	.00	
Total SECURUS TECHNOLOGIES:				1,049.42	.00	
<b>SIEGEL OIL CO/INLAND</b>						
24975	SIEGEL OIL CO/INLAND	10078174	road	1,166.49	.00	
24975	SIEGEL OIL CO/INLAND	10077966	road	1,166.49	.00	
Total SIEGEL OIL CO/INLAND:				2,332.98	.00	
<b>THE GARLAND COMPANY, INC.</b>						
32012	THE GARLAND COMPANY, INC.	CI-GUS011927	COURTHOUSE	1,722.90	.00	
Total THE GARLAND COMPANY, INC.:				1,722.90	.00	
<b>TIMES INDEPENDENT</b>						
26580	TIMES INDEPENDENT	22364	TRAVEL COUNCIL	45.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
Total TIMES INDEPENDENT:				45.00	.00	
<b>TRANTER, CALLIE</b>						
29535	TRANTER, CALLIE	MAY 5 2016	PETTY CASH	48.18	.00	
29535	TRANTER, CALLIE	MAY 5 2016	PETTY CASH	32.00	.00	
29535	TRANTER, CALLIE	MAY 5 2016	PETTY CASH	23.25	.00	
Total TRANTER, CALLIE:				103.43	.00	
<b>TRAVEL GUIDES FREE, INC.</b>						
33672	TRAVEL GUIDES FREE, INC.	2060	TRAVEL COUNCIL	450.00	.00	
Total TRAVEL GUIDES FREE, INC.:				450.00	.00	
<b>TUBBS, ELIZABETH</b>						
34032	TUBBS, ELIZABETH	APR20,25-26	MILEAGE	11.88	.00	
34032	TUBBS, ELIZABETH	APR20,25-26	PER DIEM	51.00	.00	
34032	TUBBS, ELIZABETH	APR 12-15 201	PER DIEM	101.00	.00	
34032	TUBBS, ELIZABETH	APR20,25-26	MILEAGE	128.36	.00	
34032	TUBBS, ELIZABETH	APR 12-15 201	MILEAGE	138.78	.00	
Total TUBBS, ELIZABETH:				429.02	.00	
<b>TURN SECURE SHREDDING</b>						
33385	TURN SECURE SHREDDING	2779	JAIL	36.25	.00	
33385	TURN SECURE SHREDDING	2779	CLERK	36.25	.00	
33385	TURN SECURE SHREDDING	2779	ATTORNEY	36.25	.00	
33385	TURN SECURE SHREDDING	2779	JUSTICE COURT	36.25	.00	
33385	TURN SECURE SHREDDING	2779	SHERIFF	36.25	.00	
33385	TURN SECURE SHREDDING	2779	ASSESSOR	36.25	.00	
Total TURN SECURE SHREDDING:				217.50	.00	
<b>UTAH ASSOCIATION OF COUNTIES</b>						
27405	UTAH ASSOCIATION OF COUN	507405363	REGISTRATION/JAYLYN HAWK	325.00	.00	
Total UTAH ASSOCIATION OF COUNTIES:				325.00	.00	
<b>VERIZON WIRELESS</b>						
27995	VERIZON WIRELESS	APRIL 2016	Carlin Walker-Heath	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Zane Lammert	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Bill Jackson	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Steve's Air Card I-PAD	39.02	.00	
27995	VERIZON WIRELESS	APRIL 2016	Jeff Whitney	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Council Admin	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Graig Thomas	69.70	.00	
27995	VERIZON WIRELESS	APRIL 2016	Braydon Palmer	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Drug Tracker	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	EMS On-Call	39.16	.00	
27995	VERIZON WIRELESS	APRIL 2016	Office	44.34	.00	
27995	VERIZON WIRELESS	APRIL 2016	Emergency Command 2	30.63	.00	
27995	VERIZON WIRELESS	APRIL 2016	Family Support	30.58	.00	
27995	VERIZON WIRELESS	APRIL 2016	Rick Bailey	52.93	.00	
27995	VERIZON WIRELESS	APRIL 2016	Sandflats	54.02	.00	
27995	VERIZON WIRELESS	APRIL 2016	Attorney	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Steve's Toughbook	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	New USB Modem SHERIFF	40.01	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
27995	VERIZON WIRELESS	APRIL 2016	EMS	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Bill Hulse	30.66	.00	
27995	VERIZON WIRELESS	APRIL 2016	Archie Walker	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Brandon Black	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Darrel Mecham	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Monty Risenhover	40.03	.00	
27995	VERIZON WIRELESS	APRIL 2016	Senior on call	30.63	.00	
27995	VERIZON WIRELESS	APRIL 2016	Levi Mallory	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Command Toughbook	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Brady Rich	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Bill Hulse	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Command Toughbook	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Matt I-Pad	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Marvin I-Pad	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Carlin Walker-Heath	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Fire Warden	117.75	.00	
27995	VERIZON WIRELESS	APRIL 2016	Emergency Command 1	30.63	.00	
27995	VERIZON WIRELESS	APRIL 2016	Joshua Honour	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	EMS	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Mike Thurston	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Al Cymbaluk	40.03	.00	
27995	VERIZON WIRELESS	APRIL 2016	Sandflats	31.90	.00	
27995	VERIZON WIRELESS	APRIL 2016	Drug Tracker	54.02	.00	
27995	VERIZON WIRELESS	APRIL 2016	EMS	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	EMS	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	CURT	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Grand Ctr Air Card	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Veronica's Air Card	40.01	.00	
27995	VERIZON WIRELESS	APRIL 2016	Nate Whitney	40.01	.00	
Total VERIZON WIRELESS:				1,976.34	.00	
<b>VISA-ZIONS FIRST NAT. BANK</b>						
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	8659/MATT CENICEROS	12.17	12.17	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1852/CALLIE TRANTER	45.00	45.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	913.28	913.28	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	9.99	9.99	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	170.00	170.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	.40-	.40-	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	150.00	150.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	29.00	29.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	219.30-	219.30-	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	45.06	45.06	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5457/ANDREW SMITH	16.20	16.20	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	13.10	13.10	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	63.99	63.99	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	29.54	29.54	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	52.50	52.50	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	4.72	4.72	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1557/JAMES WEBSTER	92.71	92.71	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	4154/RUTH DILLON	64.44	64.44	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	8858/ANDREA BRAND	215.95	215.95	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	2058/VERLEEN STRIBLEN	14.54	14.54	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	2058/VERLEEN STRIBLEN	104.94	104.94	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	14.99	14.99	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/JAYLYN HAWKS	176.80	176.80	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	70.00	70.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	50.00	50.00	05/04/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	147.84-	147.84-	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	170.00	170.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	.01-	.01-	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	150.00	150.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	35.59	35.59	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	794.49	794.49	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	284.88	284.88	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	100.00	100.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	63.59	63.59	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	395.16	395.16	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	473.93	473.93	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	39.00	39.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	30.66	30.66	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1557/JAMES WEBSTER	108.00	108.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0557/CARRIE VALDES	769.96	769.96	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	2058/VERLEEN STRIBLEN	15.00	15.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	2058/VERLEEN STRIBLEN	39.99	39.99	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7651/ELAINE GIZLER	134.00	134.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9450/STEVE WHITE	29.51	29.51	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9450/STEVE WHITE	45.35	45.35	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1753/STEVE WHITE OFFICE	26.00	26.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	2757/AL CYMBALUK	11.22	11.22	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7859/DANIEL MALONE	30.00	30.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7058/MONTY RISENHOOVER	6.39	6.39	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	8759/CONNIE HAYCOCK	62.95	62.95	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	200.00	200.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	200.00	200.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	200.00	200.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	116.19	116.19	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	51.01	51.01	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	154.92	154.92	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	99.72	99.72	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	91.00	91.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	91.00	91.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	12.95	12.95	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	65.08	65.08	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9253/STEVE SWIFT	30.95	30.95	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	8957/MARVIN DAY	94.30	94.30	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9559/JUDSON HILL	236.00	236.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9559/JUDSON HILL	118.00	118.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1654/ANDREW FITZGERALD	5,858.00	5,858.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1654/ANDREW FITZGERALD	58.46	58.46	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	5052/RICK BAILEY	150.00	150.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9450/STEVE WHITE	212.15	212.15	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9450/STEVE WHITE	30.65	30.65	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1753/STEVE WHITE OFFICE	12.84	12.84	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9351/KIM NEAL	28.87	28.87	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1159/NATHAN WHITNEY	27.31	27.31	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	7859/DANIEL MALONE	37.75	37.75	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	8759/CONNIE HAYCOCK	38.00	38.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	8759/CONNIE HAYCOCK	656.20	656.20	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	25.20	25.20	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	25.20	25.20	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	25.20	25.20	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	51.01	51.01	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	102.02	102.02	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0755/DIANA CARROLL TRAVEL	146.64	146.64	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	25.81	25.81	05/04/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
28115	VISA-ZIONS FIRST NAT BANK	APRIL 2016	TAX	11.38	11.38	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	TAX	11.38	11.38	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	25.99	25.99	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	0052/DIANA CARROLL	45.41	45.41	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9253/STEVE SWIFT	97.85	97.85	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9559/JUDSON HILL	51.17	51.17	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9559/JUDSON HILL	118.00	118.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	9559/JUDSON HILL	118.00	118.00	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1654/ANDREW FITZGERALD	19.60	19.60	05/04/2016
28115	VISA-ZIONS FIRST NAT. BANK	APRIL 2016	1654/ANDREW FITZGERALD	478.00	478.00	05/04/2016
Total VISA-ZIONS FIRST NAT. BANK:				16,056.25	16,056.25	
<b>VLCM</b>						
33927	VLCM	495866	VLCMNET PLUS GRANDCO NW	2,050.00	.00	
Total VLCM:				2,050.00	.00	
<b>ZANE'S WELDING</b>						
29195	ZANE'S WELDING	MAY 2 2016	MAINTENANCE	380.00	.00	
Total ZANE'S WELDING:				380.00	.00	
Grand Totals:				259,438.09	18,056.25	

Dated: 5/5/16

County Auditor: Diana Canel

Council Chairperson: Elizabeth A. Tabb

Council: [Signature]

Council: [Signature]

Check No. 92514-92566

Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

## Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>AAA</b>						
30379	AAA	1685947	TRAVEL COUNCIL	8,711.00	8,711.00	05/13/2016
Total AAA:				8,711.00	8,711.00	
<b>ADVERTISER</b>						
30946	ADVERTISER	A201604258	LIBRARY	25.45	.00	
Total ADVERTISER:				25.45	.00	
<b>AJOULES, INC</b>						
34304	AJOULES, INC	10105-2016	CLERK	525.00	.00	
34304	AJOULES, INC	10105-2016	TREASURER	525.00	.00	
34304	AJOULES, INC	10105-2016	ASSESSOR	525.00	.00	
34304	AJOULES, INC	10105-2016	RECORDER	525.00	.00	
Total AJOULES, INC:				2,100.00	.00	
<b>AKUTSU, SHAW</b>						
34975	AKUTSU, SHAW	MAY 1 2016	TRANSFER	38.00	.00	
Total AKUTSU, SHAW:				38.00	.00	
<b>ALSCO INC.</b>						
34353	ALSCO INC.	LGRA1770397	AIRPORT	38.59	.00	
34353	ALSCO INC.	LGRA1764972	AIRPORT	38.59	.00	
Total ALSCO INC.:				77.18	.00	
<b>ARCHIPLEX GROUP, LLC</b>						
34821	ARCHIPLEX GROUP, LLC	1514.02-08	JAIL REMODEL	18,343.50	18,343.50	05/13/2016
Total ARCHIPLEX GROUP, LLC:				18,343.50	18,343.50	
<b>ARDALAN, NADI</b>						
33653	ARDALAN, NADI	MAY 8 2016	SAR MILEAGE REIMBURSEMEN	22.68	.00	
Total ARDALAN, NADI:				22.68	.00	
<b>BACHMAN, FRITZ</b>						
34777	BACHMAN, FRITZ	MAY 10-12 201	CAMPING	105.00	.00	
Total BACHMAN, FRITZ:				105.00	.00	
<b>BACK OF BEYOND BOOKS</b>						
32887	BACK OF BEYOND BOOKS	1853	LIBRARY	81.53	.00	
32887	BACK OF BEYOND BOOKS	1864	LIBRARY	44.79	.00	
Total BACK OF BEYOND BOOKS:				126.32	.00	
<b>BAIRD, MIKE</b>						
11145	BAIRD, MIKE	MAY 15 2016	PROFESSIONAL SERVICES LIB	600.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
Total BAIRD, MIKE:				600.00	.00	
<b>BASTIAN, BRITTANY</b>						
33943	BASTIAN, BRITTANY	MAY 1 2016	TRANSFER	58.00	.00	
Total BASTIAN, BRITTANY:				58.00	.00	
<b>BC MEDICAL &amp; SAFETY LLC</b>						
30416	BC MEDICAL & SAFETY LLC	3230	ROAD DEPT	147.25	.00	
Total BC MEDICAL & SAFETY LLC:				147.25	.00	
<b>BOGAN, TODD</b>						
32948	BOGAN, TODD	MAY 1 2016	TRANSFER	38.00	.00	
Total BOGAN, TODD:				38.00	.00	
<b>BONNEVILLE INTERMOUNTAIN RADIO</b>						
32193	BONNEVILLE INTERMOUNTAIN	45908-2	TRAVEL COUNCIL	6,610.00	6,610.00	05/13/2016
32193	BONNEVILLE INTERMOUNTAIN	IN-1160413556	TRAVEL COUNCIL	1,495.00	1,495.00	05/13/2016
32193	BONNEVILLE INTERMOUNTAIN	45909-2	TRAVEL COUNCIL	370.00	370.00	05/13/2016
Total BONNEVILLE INTERMOUNTAIN RADIO:				8,475.00	8,475.00	
<b>BROADWAY MEDIA SLC</b>						
34258	BROADWAY MEDIA SLC	IN-1160435461	MOAB TRAVEL COUNCIL	5,807.00	5,807.00	05/13/2016
34258	BROADWAY MEDIA SLC	IN-1160435421	MOAB TRAVEL COUNCIL	1,978.02	1,978.02	05/13/2016
Total BROADWAY MEDIA SLC:				7,785.02	7,785.02	
<b>BRODART CO</b>						
12105	BRODART CO	434180	library	87.06	.00	
Total BRODART CO:				87.06	.00	
<b>BROWNELL, STEVE</b>						
32588	BROWNELL, STEVE	APR 25 2016	SAR MILEAGE REIMBURSEMEN	14.04	.00	
Total BROWNELL, STEVE:				14.04	.00	
<b>CANYONLANDS ADVERTISING</b>						
12505	CANYONLANDS ADVERTISING	MH134479	OSTA EXPENSE	25.00	.00	
Total CANYONLANDS ADVERTISING:				25.00	.00	
<b>CANYONLANDS AUTO</b>						
12515	CANYONLANDS AUTO	442862	CEMETERY	5.39	.00	
12515	CANYONLANDS AUTO	443533	CEMETERY	.98	.00	
12515	CANYONLANDS AUTO	442823	CEMETERY	6.06	.00	
12515	CANYONLANDS AUTO	443347	CEMETERY	12.77	.00	
Total CANYONLANDS AUTO:				25.20	.00	
<b>CANYONLANDS NATURAL HISTORY</b>						
12560	CANYONLANDS NATURAL HIS	31839	SEARCH & RESCUE	51.20	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
Total CANYONLANDS NATURAL HISTORY:				51.20	.00	
<b>CASELLE, INC.</b>						
12770	CASELLE, INC.	72760	clerks contract support	780.49	.00	
12770	CASELLE, INC.	72760	HR contract support	100.18	.00	
Total CASELLE, INC.:				880.67	.00	
<b>CDW GOVERNMENT INC.</b>						
12830	CDW GOVERNMENT INC.	CRQ3626	ADMIN	485.49	.00	
12830	CDW GOVERNMENT INC.	CRQ3485	GRAND CENTER	485.49	.00	
Total CDW GOVERNMENT INC.:				970.98	.00	
<b>CIGNA HEALTHCARE - C/O WELLS FARGO</b>						
34613	CIGNA HEALTHCARE - C/O W	MAY 2016	PREMIUM	44,448.68	44,448.68	05/13/2016
34613	CIGNA HEALTHCARE - C/O W	MAY 2016	FUNDING	98,858.42	98,858.42	05/13/2016
Total CIGNA HEALTHCARE - C/O WELLS FARGO:				143,307.10	143,307.10	
<b>CORONELLA, MIKE D.</b>						
32600	CORONELLA, MIKE D.	APR 10 2016	SAR MILEAGE REIMBURSEMEN	16.20	.00	
Total CORONELLA, MIKE D.:				16.20	.00	
<b>CROOKSTON, SCOTT</b>						
34856	CROOKSTON, SCOTT	MAY 10-12 201	CAMPING	105.00	.00	
Total CROOKSTON, SCOTT:				105.00	.00	
<b>CRYSTAL INN-SLC</b>						
13780	CRYSTAL INN-SLC	265703	LODGING/ANDY SMITH	100.00	.00	
13780	CRYSTAL INN-SLC	265702	LODGING/ASHLEY KENT	200.00	.00	
13780	CRYSTAL INN-SLC	265701	LODGING/PAULA DUNHAM	200.00	.00	
13780	CRYSTAL INN-SLC	265703	TAX	12.60	.00	
13780	CRYSTAL INN-SLC	265702	TAX	25.20	.00	
13780	CRYSTAL INN-SLC	265701	TAX	25.20	.00	
Total CRYSTAL INN-SLC:				563.00	.00	
<b>DAILY SENTINEL</b>						
13945	DAILY SENTINEL	13945	TRAVEL COUNCIL	2,400.00	2,400.00	05/13/2016
Total DAILY SENTINEL:				2,400.00	2,400.00	
<b>DELTA GLOVES</b>						
31604	DELTA GLOVES	INV146985	JAIL	84.90	.00	
31604	DELTA GLOVES	INV146985	SHERIFF	287.32	.00	
Total DELTA GLOVES:				372.22	.00	
<b>DELTA RIGGING &amp; TOOLS, INC.</b>						
13890	DELTA RIGGING & TOOLS, INC.	PSI00013728	ROAD	46.94	.00	
13890	DELTA RIGGING & TOOLS, INC.	PSI00013701	ROAD	232.60	.00	
Total DELTA RIGGING & TOOLS, INC.:				279.54	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>DEMCO, INC.</b>						
14310	DEMCO, INC.	5861881	library	93.61	.00	
Total DEMCO, INC.:				93.61	.00	
<b>DESERT WEST OFFICE SUPPLY</b>						
14375	DESERT WEST OFFICE SUPPL	182787	osta supplies	114.96	.00	
14375	DESERT WEST OFFICE SUPPL	183702	SHERIFF	142.31	.00	
14375	DESERT WEST OFFICE SUPPL	183297	SHERIFF	34.99	.00	
14375	DESERT WEST OFFICE SUPPL	182924	FAMILY SUPPORT	31.15	.00	
14375	DESERT WEST OFFICE SUPPL	183462	ems supplies	16.45	.00	
14375	DESERT WEST OFFICE SUPPL	183323	SHERIFF	23.50	.00	
14375	DESERT WEST OFFICE SUPPL	182849	ems supplies	8.79	.00	
14375	DESERT WEST OFFICE SUPPL	182893	justcie court supplies	404.91	.00	
14375	DESERT WEST OFFICE SUPPL	183198	SHERIFF	16.49	.00	
14375	DESERT WEST OFFICE SUPPL	183407	MAINTENANCE	103.75	.00	
14375	DESERT WEST OFFICE SUPPL	182804	SANDFLATS	24.99	.00	
14375	DESERT WEST OFFICE SUPPL	182984	cjc	71.00	.00	
14375	DESERT WEST OFFICE SUPPL	183349	road dept supplies	30.00	.00	
14375	DESERT WEST OFFICE SUPPL	183141	assessor supplies	37.47	.00	
14375	DESERT WEST OFFICE SUPPL	183241	treasurer	6.07	.00	
14375	DESERT WEST OFFICE SUPPL	183215	SHERIFF	27.95	.00	
14375	DESERT WEST OFFICE SUPPL	182958	SHERIFF	20.99	.00	
14375	DESERT WEST OFFICE SUPPL	183113	SHERIFF	278.00	.00	
14375	DESERT WEST OFFICE SUPPL	183261	SHERIFF	20.99	.00	
14375	DESERT WEST OFFICE SUPPL	183513	SANDFLATS	7.98	.00	
14375	DESERT WEST OFFICE SUPPL	182972	CEMETERY DISTRICT	110.00	.00	
14375	DESERT WEST OFFICE SUPPL	183656	HR	342.96	.00	
14375	DESERT WEST OFFICE SUPPL	183534	WEED	17.99	.00	
14375	DESERT WEST OFFICE SUPPL	183020	recorders supplies	135.80	.00	
14375	DESERT WEST OFFICE SUPPL	183500	jail	25.99	.00	
14375	DESERT WEST OFFICE SUPPL	183751	LIBRARY	119.53	.00	
14375	DESERT WEST OFFICE SUPPL	182847	ems supplies	46.48	.00	
14375	DESERT WEST OFFICE SUPPL	183085	SHERIFF	27.99	.00	
14375	DESERT WEST OFFICE SUPPL	183119	road dept supplies	42.99	.00	
14375	DESERT WEST OFFICE SUPPL	183553	SHERIFF	69.08	.00	
14375	DESERT WEST OFFICE SUPPL	183554	CLERK	109.97	.00	
14375	DESERT WEST OFFICE SUPPL	182900	ADMIN	11.18	.00	
14375	DESERT WEST OFFICE SUPPL	182990	assessor supplies	8.98	.00	
14375	DESERT WEST OFFICE SUPPL	183416	road dept supplies	113.03	.00	
14375	DESERT WEST OFFICE SUPPL	183242	recorders supplies	64.99	.00	
14375	DESERT WEST OFFICE SUPPL	182845	SHERIFF	32.98	.00	
14375	DESERT WEST OFFICE SUPPL	183011	SHERIFF	58.95	.00	
14375	DESERT WEST OFFICE SUPPL	182960	FAMILY SUPPORT	58.39	.00	
14375	DESERT WEST OFFICE SUPPL	182959	FAMILY SUPPORT	34.19	.00	
14375	DESERT WEST OFFICE SUPPL	183429	SANDFLATS	70.50	.00	
Total DESERT WEST OFFICE SUPPLY:				2,924.71	.00	
<b>DUNHAM, PAULA</b>						
33581	DUNHAM, PAULA	APR28-30 201	PER DIEM	82.00	.00	
Total DUNHAM, PAULA:				82.00	.00	
<b>EMERY TELCOM</b>						
14995	EMERY TELCOM	MAY 2016	3196900-AIRPORT	248.00	.00	
14995	EMERY TELCOM	MAY 2016	1082600/EMS	102.89	.00	
14995	EMERY TELCOM	MAY 2016	1105700/sheriff	65.47	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
14995	EMERY TELCOM	MAY 2016	3066900/CHILDREN'S JUSTICE	75.00	.00	
14995	EMERY TELCOM	MAY 2016	1141900/EMS	115.47	.00	
14995	EMERY TELCOM	MAY 2016	3197000-OSTA	395.18	.00	
14995	EMERY TELCOM	MAY 2016	1007100/SEARCH & RESCUE	63.79	.00	
Total EMERY TELCOM:				1,065.80	.00	
<b>FEDEX</b>						
15375	FEDEX	5-406-83423	travel cnl postage	9.42	9.42	05/13/2016
Total FEDEX:				9.42	9.42	
<b>FOREMAN, BILL</b>						
32598	FOREMAN, BILL	MAY 8 2016	S&R MILEAGE REIMBURSEMEN	4.32	.00	
32598	FOREMAN, BILL	APR 10 2016	S&R MILEAGE REIMBURSEMEN	8.64	.00	
Total FOREMAN, BILL:				12.96	.00	
<b>FRONTIER</b>						
15810	FRONTIER	APRIL 2016	e911-435-196-1799	280.90	.00	
15810	FRONTIER	APRIL 2016	e911/0386	990.65	.00	
Total FRONTIER:				1,271.55	.00	
<b>GERHART, GEORGE</b>						
32619	GERHART, GEORGE	MAY 8 2016	SAR MILEAGE REIMBURSEME	15.66	.00	
Total GERHART, GEORGE:				15.66	.00	
<b>GETGO OFFICE PRODUCTS</b>						
16100	GETGO OFFICE PRODUCTS	9867	EMS	53.00	.00	
Total GETGO OFFICE PRODUCTS:				53.00	.00	
<b>GOSTLIN, JIM</b>						
32981	GOSTLIN, JIM	MAY 8 2016	SAR MILEAGE REIMBURSEMEN	10.26	.00	
Total GOSTLIN, JIM:				10.26	.00	
<b>GRAINGER</b>						
16310	GRAINGER	9090248783	AIRPORT	51.04	.00	
16310	GRAINGER	9090248775	AIRPORT	73.72	.00	
Total GRAINGER:				124.76	.00	
<b>GRAND COUNTY CREDIT UNION</b>						
16385	GRAND COUNTY CREDIT UNIO	PR0508160	EMPLOYEE W/H Grand County	2,026.50	2,026.50	05/13/2016
Total GRAND COUNTY CREDIT UNION:				2,026.50	2,026.50	
<b>GRAND COUNTY TREASURER</b>						
16465	GRAND COUNTY TREASURER	PR0508160	EMPLOYEE W/H Grand County	426.50	426.50	05/13/2016
16465	GRAND COUNTY TREASURER	PR0508160	EMPLOYEE W/H Grand County	35.00	35.00	05/13/2016
Total GRAND COUNTY TREASURER:				461.50	461.50	
<b>GRANITE SEED AND EROSION CONTROL</b>						
34615	GRANITE SEED AND EROSION	1-37764	CEMETERY	463.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>Total GRANITE SEED AND EROSION CONTROL:</b>				<b>463.00</b>	<b>.00</b>	
<b>GREEN SOLUTIONS</b>						
29615	GREEN SOLUTIONS	16029	GRAND CENTER	45.00	.00	
29615	GREEN SOLUTIONS	16031	TRANSIT HUB	105.00	.00	
29615	GREEN SOLUTIONS	16030	LIBRARY	50.00	.00	
<b>Total GREEN SOLUTIONS:</b>				<b>200.00</b>	<b>.00</b>	
<b>GROO, JOHN W</b>						
30884	GROO, JOHN W	465	TRAVEL COUNCIL	170.00	170.00	05/13/2016
<b>Total GROO, JOHN W:</b>				<b>170.00</b>	<b>170.00</b>	
<b>HAAS ROCK PUBLICATIONS</b>						
34054	HAAS ROCK PUBLICATIONS	8956	MOAB TRAVEL COUNCIL	1,500.00	1,500.00	05/13/2016
<b>Total HAAS ROCK PUBLICATIONS:</b>				<b>1,500.00</b>	<b>1,500.00</b>	
<b>HANNIGAN, SEAMUS</b>						
35149	HANNIGAN, SEAMUS	MAY 8 2016	SAR MILEAGE REIMBURSEMEN	48.60	.00	
<b>Total HANNIGAN, SEAMUS:</b>				<b>48.60</b>	<b>.00</b>	
<b>HARDIN, DANIELLE</b>						
35032	HARDIN, DANIELLE	APR 16 2016	TRANSFER	141.00	.00	
<b>Total HARDIN, DANIELLE:</b>				<b>141.00</b>	<b>.00</b>	
<b>HAYES, ANNE</b>						
34183	HAYES, ANNE	MAY 9 2016	TRANSFER	26.00	.00	
<b>Total HAYES, ANNE:</b>				<b>26.00</b>	<b>.00</b>	
<b>HEALTH EQUITY</b>						
34661	HEALTH EQUITY	PR0508161	EMPLOYEE W/H HSA-MMAD P	277.00	277.00	05/13/2016
<b>Total HEALTH EQUITY:</b>				<b>277.00</b>	<b>277.00</b>	
<b>HENDERSON LEASING CO LLC</b>						
31151	HENDERSON LEASING CO LLC	15177	OSTA	136.30	.00	
31151	HENDERSON LEASING CO LLC	15266	OSTA	396.00	.00	
31151	HENDERSON LEASING CO LLC	15141	EMS	177.92	.00	
<b>Total HENDERSON LEASING CO LLC:</b>				<b>710.22</b>	<b>.00</b>	
<b>HINES, TERRI</b>						
17470	HINES, TERRI	MAY16-18 201	PER DIEM	95.00	95.00	05/13/2016
<b>Total HINES, TERRI:</b>				<b>95.00</b>	<b>95.00</b>	
<b>HOGGARD, ASHLEY</b>						
34956	HOGGARD, ASHLEY	APR 26 2016	TRANSFER	35.00	.00	
<b>Total HOGGARD, ASHLEY:</b>				<b>35.00</b>	<b>.00</b>	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>HOGGARD, JEREMY</b>						
34143	HOGGARD, JEREMY	MAY 5 2016	TRANSFER	11.00	.00	
Total HOGGARD, JEREMY:				11.00	.00	
<b>HONOUR, JOSHUA C.</b>						
34409	HONOUR, JOSHUA C.	APR 29 2016	REIMBURSEMENT	88.04	.00	
Total HONOUR, JOSHUA C.:				88.04	.00	
<b>HORROCKS ENGINEERING, INC</b>						
17750	HORROCKS ENGINEERING, IN	39897	DEVELOPMENT REVIEW	2,700.65	2,700.65	05/13/2016
Total HORROCKS ENGINEERING, INC:				2,700.65	2,700.65	
<b>HOUSKEEPER, KAREESA</b>						
35150	HOUSKEEPER, KAREESA	APR 27 2016	REFUND OF BAIL/ERIN FLANNE	300.00	.00	
Total HOUSKEEPER, KAREESA:				300.00	.00	
<b>IDENTISYS, INC</b>						
34945	IDENTISYS, INC	294583	EMERGENCY MANAGEMENT	133.54	.00	
Total IDENTISYS, INC:				133.54	.00	
<b>INTERMOUNTAIN FARMERS ASSOC</b>						
30491	INTERMOUNTAIN FARMERS AS	1006870139	WEED DEPT	122.74	.00	
Total INTERMOUNTAIN FARMERS ASSOC:				122.74	.00	
<b>IRS - FICA/FWT</b>						
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	1,811.19	1,811.19	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	51.75	51.75	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	63.15	63.15	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	140.03	140.03	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	626.60	626.60	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	423.19	423.19	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	10,104.60	10,104.60	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	420.57	420.57	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	67.92	67.92	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	1,089.32	1,089.32	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	189.94	189.94	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	901.73	901.73	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	382.62	382.62	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	462.49	462.49	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	12.10	12.10	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	14.77	14.77	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	32.75	32.75	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	146.55	146.55	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	98.97	98.97	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	2,363.16	2,363.16	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	98.36	98.36	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	15.89	15.89	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	254.76	254.76	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	44.42	44.42	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	210.87	210.87	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	89.49	89.49	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	3,216.32	3,216.32	05/18/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	71.01	71.01	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	34.65	34.65	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	239.54	239.54	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	611.73	611.73	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	631.82	631.82	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	10,271.01	10,271.01	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	420.57	420.57	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	67.92	67.92	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	1,089.32	1,089.32	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	189.94	189.94	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	901.73	901.73	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	382.62	382.62	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	1,977.60	1,977.60	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	51.75	51.75	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	63.15	63.15	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	140.03	140.03	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	626.60	626.60	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Social Security Pay P	423.19	423.19	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	2,363.16	2,363.16	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	98.36	98.36	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	15.89	15.89	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	254.76	254.76	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	44.42	44.42	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	210.87	210.87	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	89.49	89.49	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	462.49	462.49	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	12.10	12.10	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	14.77	14.77	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	32.75	32.75	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	146.55	146.55	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Medicare Pay Period:	98.97	98.97	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	17,003.65	17,003.65	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	704.94	704.94	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	68.90	68.90	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	1,282.70	1,282.70	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	193.16	193.16	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	1,067.54	1,067.54	05/18/2016
33378	IRS - FICA/FWT	PR0508161	FICA/FWT Federal Withholding P	308.28	308.28	05/18/2016
Total IRS - FICA/FWT:				66,001.44	66,001.44	
<b>JACKSON GROUP PETERBILT</b>						
34363	JACKSON GROUP PETERBILT	43383	ROAD	35.00	.00	
34363	JACKSON GROUP PETERBILT	44457	ROAD	842.40	.00	
34363	JACKSON GROUP PETERBILT	CM41812	ROAD	346.70	.00	
Total JACKSON GROUP PETERBILT:				530.70	.00	
<b>JUAB JUSTICE COURT</b>						
18695	JUAB JUSTICE COURT	MAY 12 2016	WARRANT#2066907-JAMES J M	825.00	.00	
Total JUAB JUSTICE COURT:				825.00	.00	
<b>KELLERSTRASS OIL COMPANY</b>						
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	Cemetery	244.29	244.29	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	EMS FUEL	335.42	335.42	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	library - Carrie Valdes	21.95	21.95	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	road	192.78	192.78	05/13/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	sheriff	311.85	311.85	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	travel council	B 19.32	19.32	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	Whitney	32.47	32.47	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	Ems- State Tax	B 46.88	46.88	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	MMAD-State Tax	18.60	18.60	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	State Taxes/Excess	B 31.86	31.86	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	Attorney - Terri	25.37	25.37	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	councilperson/jaylynn	B 10.98	10.98	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	ext agent/mike	B 44.04	44.04	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	mmad/bob 2175924	B 117.92	117.92	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	road volume discount	B 2.03-	2.03-	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	travel council	B 27.52	27.52	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	weed/tim	B 43.58	43.58	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	Cemetery	B 34.13	34.13	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	Sheriff-State Tax	B 46.67	46.67	05/13/2016
33554	KELLERSTRASS OIL COMPANY	APRIL 2016	State Taxes Road	B 14.70	14.70	05/13/2016
Total KELLERSTRASS OIL COMPANY:				1,618.30	1,618.30	
<b>KENT, ASHLE</b>						
33505	KENT, ASHLE	APR28-30 201	PER DIEM	82.00	.00	
Total KENT, ASHLE:				82.00	.00	
<b>KIMBALL MIDWEST</b>						
32638	KIMBALL MIDWEST	4867126	ROAD	351.08	.00	
Total KIMBALL MIDWEST:				351.08	.00	
<b>L.N. CURTIS &amp; SONS</b>						
32698	L.N. CURTIS & SONS	8504305-00	PALMER/CLOTHING	190.81	.00	
Total L.N. CURTIS & SONS:				190.81	.00	
<b>LAMAR COMPANIES, THE</b>						
30194	LAMAR COMPANIES, THE	106999255	TRAVEL COUNCIL	750.00	750.00	05/13/2016
30194	LAMAR COMPANIES, THE	107020283	TRAVEL COUNCIL	1,800.00	1,800.00	05/13/2016
30194	LAMAR COMPANIES, THE	106999255	TRAVEL COUNCIL	750.00	750.00	05/13/2016
30194	LAMAR COMPANIES, THE	107020283	TRAVEL COUNCIL	1,800.00	1,800.00	05/13/2016
Total LAMAR COMPANIES, THE:				5,100.00	5,100.00	
<b>LAW OFFICE OF DUSTEN L HEUGLY</b>						
34635	LAW OFFICE OF DUSTEN L HE	544	JUVENILE COURT FILE #2014-4	1,275.00	1,275.00	05/13/2016
Total LAW OFFICE OF DUSTEN L HEUGLY:				1,275.00	1,275.00	
<b>LEGRAND JOHNSON CONSTRUCTION</b>						
32515	LEGRAND JOHNSON CONSTRU	265326	ROAD	732.45	.00	
32515	LEGRAND JOHNSON CONSTRU	265325	ROAD	648.60	.00	
32515	LEGRAND JOHNSON CONSTRU	264381	ROAD	394.25	.00	
32515	LEGRAND JOHNSON CONSTRU	262773	ROAD	478.70	.00	
32515	LEGRAND JOHNSON CONSTRU	266249	ROAD	571.14	.00	
32515	LEGRAND JOHNSON CONSTRU	264460	ROAD	296.40	.00	
32515	LEGRAND JOHNSON CONSTRU	260576	ROAD	26.56	.00	
32515	LEGRAND JOHNSON CONSTRU	263034	ROAD	556.21	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>Total LEGRAND JOHNSON CONSTRUCTION:</b>				<b>3,704.31</b>	<b>.00</b>	
<b>LIFE ASSIST</b>						
32666	LIFE ASSIST	749092	EMS	739.23	.00	
32666	LIFE ASSIST	748693	EMS	112.38	.00	
<b>Total LIFE ASSIST:</b>				<b>851.61</b>	<b>.00</b>	
<b>LK SURVEY INSTRUMENTS</b>						
29610	LK SURVEY INSTRUMENTS	668426	RECORDERS OFFICE	25.35	.00	
<b>Total LK SURVEY INSTRUMENTS:</b>				<b>25.35</b>	<b>.00</b>	
<b>LORMAN EDUCATION SERVICES</b>						
19730	LORMAN EDUCATION SERVICE	2979327-1	LORMAN ALL-ACCESS PASS	524.25	524.25	05/13/2016
<b>Total LORMAN EDUCATION SERVICES:</b>				<b>524.25</b>	<b>524.25</b>	
<b>LYNN'S EMBROIDERY</b>						
34333	LYNN'S EMBROIDERY	261486	SANDFLATS	158.00	.00	
34333	LYNN'S EMBROIDERY	261494	SHERIFF	177.00	.00	
34333	LYNN'S EMBROIDERY	261489	SANDFLATS	10.00	.00	
<b>Total LYNN'S EMBROIDERY:</b>				<b>345.00</b>	<b>.00</b>	
<b>MARSHALL, JOHN F.</b>						
30127	MARSHALL, JOHN F.	MAY 13 2016	SAR MILEAGE REIMBURSEMEN	29.70	.00	
<b>Total MARSHALL, JOHN F.:</b>				<b>29.70</b>	<b>.00</b>	
<b>MATTHEW BENDER &amp; CO., INC.</b>						
20140	MATTHEW BENDER & CO., INC.	82501467	LIBRARY	122.63	.00	
<b>Total MATTHEW BENDER &amp; CO., INC.:</b>				<b>122.63</b>	<b>.00</b>	
<b>MEIDELL, KORY</b>						
34499	MEIDELL, KORY	MAY 7 2016	SAR MILEAGE REIMBURSEMEN	32.40	.00	
<b>Total MEIDELL, KORY:</b>				<b>32.40</b>	<b>.00</b>	
<b>MOAB AUTO PARTS INC</b>						
34633	MOAB AUTO PARTS INC	14910-43175	ROAD	53.40	.00	
34633	MOAB AUTO PARTS INC	14910-44731	ROAD	48.16	.00	
34633	MOAB AUTO PARTS INC	14910-45429	ROAD	8.64	.00	
34633	MOAB AUTO PARTS INC	14910-45664	ROAD	8.67	.00	
34633	MOAB AUTO PARTS INC	14910-43560	MAINTENANCE	12.49	.00	
34633	MOAB AUTO PARTS INC	14910-40945	SHERIFF	68.98	.00	
34633	MOAB AUTO PARTS INC	14910-44775	ROAD	23.33	.00	
34633	MOAB AUTO PARTS INC	14910-44781	ROAD	145.11	.00	
34633	MOAB AUTO PARTS INC	14910-45676	ROAD	25.98	.00	
34633	MOAB AUTO PARTS INC	14910-45767	ROAD	18.83	.00	
34633	MOAB AUTO PARTS INC	14910-44849	MAINTENANCE	18.99	.00	
<b>Total MOAB AUTO PARTS INC:</b>				<b>394.92</b>	<b>.00</b>	
<b>MOAB BARKERY</b>						
33772	MOAB BARKERY	015	SHERIFF/ROCKY	32.98	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>Total MOAB BARKERY:</b>				<b>32.98</b>	<b>.00</b>	
<b>MOAB CITY INC.</b>						
20755	MOAB CITY INC.	APRIL 2016	Grand Center/Civic	131.97	.00	
20755	MOAB CITY INC.	APRIL 2016	New Library	117.97	.00	
20755	MOAB CITY INC.	APRIL 2016	Museum	44.57	.00	
20755	MOAB CITY INC.	APRIL 2016	Courthouse	926.58	.00	
20755	MOAB CITY INC.	APRIL 2016	EMS	48.12	.00	
20755	MOAB CITY INC.	APRIL 2016	128 E 100 N	10.00	.00	
20755	MOAB CITY INC.	APRIL 2016	city fines	7,469.72	.00	
20755	MOAB CITY INC.	APRIL 2016	Grand Center/Senior	131.96	.00	
20755	MOAB CITY INC.	APRIL 2016	Old Library	128.49	.00	
20755	MOAB CITY INC.	APRIL 2016	Star Hall	82.57	.00	
20755	MOAB CITY INC.	APRIL 2016	Sprinkler System	50.04	.00	
20755	MOAB CITY INC.	APRIL 2016	Travel Council	84.73	.00	
20755	MOAB CITY INC.	APRIL 2016	Bus GR 75%	30.37	.00	
20755	MOAB CITY INC.	APRIL 2016	Old Senior Center	97.61	.00	
20755	MOAB CITY INC.	APRIL 2016	Weed 10%	2.51	.00	
20755	MOAB CITY INC.	APRIL 2016	Bus GR 25%	10.12	.00	
20755	MOAB CITY INC.	APRIL 2016	Family Support Center	72.94	.00	
20755	MOAB CITY INC.	APRIL 2016	MMAD40%	10.03	.00	
20755	MOAB CITY INC.	APRIL 2016	Recycle 50%	12.53	.00	
<b>Total MOAB CITY INC.:</b>				<b>9,462.83</b>	<b>.00</b>	
<b>MOAB VALLEY MULTICULTURAL CENTER</b>						
34610	MOAB VALLEY MULTICULTURA	MAY 2 2016	REFUND FOR MAY 7 2016	250.00	.00	
<b>Total MOAB VALLEY MULTICULTURAL CENTER:</b>				<b>250.00</b>	<b>.00</b>	
<b>MOSHER, EYAN</b>						
34711	MOSHER, EYAN	MAY 5 2016	TRANSFER	34.00	.00	
<b>Total MOSHER, EYAN:</b>				<b>34.00</b>	<b>.00</b>	
<b>MOUNTAIN AMERICA CREDIT UNION</b>						
21255	MOUNTAIN AMERICA CREDIT U	PR0508160	EMPLOYEE W/H Mount. Americ	250.00	250.00	05/13/2016
<b>Total MOUNTAIN AMERICA CREDIT UNION:</b>				<b>250.00</b>	<b>250.00</b>	
<b>MURDOCK, DOUG</b>						
33828	MURDOCK, DOUG	MAY 15 2016	EMS OFFLINE MEDICAL DIREC	125.00	.00	
<b>Total MURDOCK, DOUG:</b>				<b>125.00</b>	<b>.00</b>	
<b>NATIONAL BENEFIT SERVICES</b>						
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	200.00	200.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	100.00	100.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	100.00	100.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	3,406.25	3,406.25	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	450.00	450.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	600.00	600.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	50.00	50.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	1.75	1.75	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	20.84	20.84	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	10.42	10.42	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	62.50	62.50	05/13/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	106.25	106.25	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	1,811.10	1,811.10	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	75.00	75.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	330.00	330.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	1,530.58	1,530.58	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	513.34	513.34	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	25.00	25.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	75.00	75.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H FSA (Cafe) PI	106.25	106.25	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H Dependent Chil	208.34	208.34	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	390.00	390.00	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	62.50	62.50	05/13/2016
30265	NATIONAL BENEFIT SERVICES	PR0508160	EMPLOYEE W/H HSA Plan Pay	1.00	1.00	05/13/2016
Total NATIONAL BENEFIT SERVICES:				10,236.12	10,236.12	
<b>NEOPOST USA INC.</b>						
35053	NEOPOST USA INC.	11274445	7900044080240843-POSTAGE	2,000.00	.00	
Total NEOPOST USA INC.:				2,000.00	.00	
<b>NEWMAN SIGNS</b>						
21760	NEWMAN SIGNS	TI-0297020	ROAD DEPT SUPPLIES	184.82	.00	
21760	NEWMAN SIGNS	TI-0297222	ROAD DEPT SUPPLIES	138.68	.00	
Total NEWMAN SIGNS:				323.50	.00	
<b>NEXSTAR BROADCASTING INC.</b>						
34452	NEXSTAR BROADCASTING INC	2528849	MOAB TRAVEL COUNCIL	280.00	280.00	05/13/2016
34452	NEXSTAR BROADCASTING INC	2530902	MOAB TRAVEL COUNCIL	250.00	250.00	05/13/2016
34452	NEXSTAR BROADCASTING INC	2528848	MOAB TRAVEL COUNCIL	2,485.00	2,485.00	05/13/2016
34452	NEXSTAR BROADCASTING INC	2528850	MOAB TRAVEL COUNCIL	1,780.00	1,780.00	05/13/2016
Total NEXSTAR BROADCASTING INC.:				4,795.00	4,795.00	
<b>NINTH BRAIN SUITE LLC</b>						
35118	NINTH BRAIN SUITE LLC	1086	EMS	400.00	.00	
Total NINTH BRAIN SUITE LLC:				400.00	.00	
<b>OFFICE DEPOT, INC</b>						
22060	OFFICE DEPOT, INC	833660958001	SHERIFF	33.24	.00	
22060	OFFICE DEPOT, INC	831198819001	AIRPORT	493.01	.00	
22060	OFFICE DEPOT, INC	835953694001	LIBRARY	77.88	.00	
22060	OFFICE DEPOT, INC	835953697001	LIBRARY	6.52	.00	
22060	OFFICE DEPOT, INC	834070769001	LIBRARY	27.71	.00	
22060	OFFICE DEPOT, INC	837449944001	LIBRARY	109.32	.00	
22060	OFFICE DEPOT, INC	835856875001	TRAVEL COUNCIL	231.49	.00	
22060	OFFICE DEPOT, INC	836412030001	ATTORNEY	66.25	.00	
22060	OFFICE DEPOT, INC	835953356001	LIBRARY	76.76	.00	
22060	OFFICE DEPOT, INC	835953695001	LIBRARY	6.43	.00	
22060	OFFICE DEPOT, INC	834070656001	LIBRARY	140.78	.00	
22060	OFFICE DEPOT, INC	837449989001	LIBRARY	13.06	.00	
22060	OFFICE DEPOT, INC	837449990001	LIBRARY	37.38	.00	
Total OFFICE DEPOT, INC:				1,319.83	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>OFFICE ETC.</b>						
22070	OFFICE ETC.	411973	GRAND CENTER	33.72	.00	
Total OFFICE ETC.:				33.72	.00	
<b>OFFICE OF RECOVERY SERVICES</b>						
22075	OFFICE OF RECOVERY SERVIC	PR0508163	Case #C000954508 Child Suppor	168.00	168.00	05/13/2016
Total OFFICE OF RECOVERY SERVICES:				168.00	168.00	
<b>OGDEN, JOHN</b>						
35151	OGDEN, JOHN	MAY 2 2016	RESTITUTION/ANDREW BURTO	550.00	.00	
Total OGDEN, JOHN:				550.00	.00	
<b>O'REILLY AUTO PARTS</b>						
33054	O'REILLY AUTO PARTS	MAY 2 2016	RESTITUTION/WILLIAM JAMES	275.70	.00	
Total O'REILLY AUTO PARTS:				275.70	.00	
<b>OVERDRIVE, INC.</b>						
33832	OVERDRIVE, INC.	214001470	LIBRARY	135.94	.00	
Total OVERDRIVE, INC.:				135.94	.00	
<b>PREMIER VEHICLE INSTALLATION, INC.</b>						
33770	PREMIER VEHICLE INSTALLATI	20819	SHERIFF	23,204.55	.00	
Total PREMIER VEHICLE INSTALLATION, INC.:				23,204.55	.00	
<b>QUILL CORPORATION</b>						
32271	QUILL CORPORATION	4911858	LIBRARY	134.97	.00	
Total QUILL CORPORATION:				134.97	.00	
<b>RAMADA-PRICE</b>						
34938	RAMADA-PRICE	32668	TAX	27.51	.00	
34938	RAMADA-PRICE	32668	LODGING/DAN MALONE	237.00	.00	
Total RAMADA-PRICE:				264.51	.00	
<b>REDINGTON, BRIANNE</b>						
35046	REDINGTON, BRIANNE	MAY 2 2016	RESTITUTION-STEPHANIE IRIS	100.00	.00	
Total REDINGTON, BRIANNE:				100.00	.00	
<b>RICKS GLASS</b>						
23855	RICKS GLASS	105945	SHERIFF	235.00	.00	
Total RICKS GLASS:				235.00	.00	
<b>RIM SUPPLY</b>						
23875	RIM SUPPLY	149778	CEMETERY DISTRICT	35.98	.00	
Total RIM SUPPLY:				35.98	.00	
<b>RIVERSIDE PLUMBING &amp; HEATING</b>						
23930	RIVERSIDE PLUMBING & HEATI	166878	GRAND CENTER	33.65	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>Total RIVERSIDE PLUMBING &amp; HEATING:</b>				<b>33.65</b>	<b>.00</b>	
<b>ROCKY MOUNTAIN POWER</b>						
27655	ROCKY MOUNTAIN POWER	MARCH 2016	AIRPORT	247.62	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	ELGIN/Grand County Lights	491.56	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	EMS-BUS BARN	118.63	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	MMAD	63.28	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	MUSEUM	204.66	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	ROAD DEPT	396.60	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	WILLOW BASIN ROAD	154.73	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	WEED	15.82	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	OSTA-BALL FIELD	703.46	.00	
27655	ROCKY MOUNTAIN POWER	APRIL 2016	AIRPORT FIRE TRUCK (AFF)	85.31	.00	
27655	ROCKY MOUNTAIN POWER	APRIL 2016	OSTA - OUTDOOR ARENA	10.37	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	COURTHOUSE	3,396.32	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	Thompson Street Lights	172.22	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	EMS-BUS BARN	39.54	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	MMAD/LIGHT	17.34	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	N.HWY 191Street Lts.	16.81	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	Road/Maint Shop	534.51	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	Sheriff	1,098.23	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	OSTA	1,491.29	.00	
27655	ROCKY MOUNTAIN POWER	MARCH 2016	Civic Center/EMS	271.69	.00	
27655	ROCKY MOUNTAIN POWER	APRIL 2016	EOC	294.82	.00	
27655	ROCKY MOUNTAIN POWER	APRIL2016	CEMETERY DISTRICT 59032296	128.66	.00	
<b>Total ROCKY MOUNTAIN POWER:</b>				<b>9,953.47</b>	<b>.00</b>	
<b>RUSSELL, STEVE ATTORNEY</b>						
24235	RUSSELL, STEVE ATTORNEY	MAY 15 2016	ATTORNEY EMPLOYMENT AGR	1,166.67	.00	
<b>Total RUSSELL, STEVE ATTORNEY:</b>				<b>1,166.67</b>	<b>.00</b>	
<b>SECURUS TECHNOLOGIES</b>						
31410	SECURUS TECHNOLOGIES	149253	JAIL/INMATES	527.21	.00	
<b>Total SECURUS TECHNOLOGIES:</b>				<b>527.21</b>	<b>.00</b>	
<b>SKAGGS COMPANIES INC</b>						
25100	SKAGGS COMPANIES INC	2669412 RI	BREWER CURT/CLOTHING	219.00	.00	
25100	SKAGGS COMPANIES INC	2659985 RI	HONOUR/CLOTHING	5.99	.00	
25100	SKAGGS COMPANIES INC	2663095 RI	RUSSO/CLOTHING	32.99	.00	
25100	SKAGGS COMPANIES INC	2660819 RI	STEWART/CLOTHING	102.94	.00	
25100	SKAGGS COMPANIES INC	2659985 RI	BREWER CURT/CLOTHING	16.98	.00	
<b>Total SKAGGS COMPANIES INC:</b>				<b>377.90</b>	<b>.00</b>	
<b>SOUTHEAST UTAH DISTRICT</b>						
25330	SOUTHEAST UTAH DISTRICT	MAY 12 2016	DEATH CERTIFICATE	18.00	18.00	05/12/2016
<b>Total SOUTHEAST UTAH DISTRICT:</b>				<b>18.00</b>	<b>18.00</b>	
<b>SPANISH TRAIL SHELL</b>						
30958	SPANISH TRAIL SHELL	MAY 1 2016	ROAD	10.83	.00	
30958	SPANISH TRAIL SHELL	MAY 1 2016	ROAD	27.42	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>Total SPANISH TRAIL SHELL:</b>				<b>38.25</b>	<b>.00</b>	
<b>SPANISH VALLEY PEST CONTROL</b>						
25415	SPANISH VALLEY PEST CONTR	MAR 23 2016	SHERIFF'S OFFICE	50.00	.00	
25415	SPANISH VALLEY PEST CONTR	APR 26 2016	LIBRARY	70.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAR 21 2016	BUS BARN/MARVINS OFFICE	35.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAR 21 2016	TRAVEL COUNCIL	50.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAR 21 2016	AIRPORT	65.00	.00	
25415	SPANISH VALLEY PEST CONTR	APR 6 2016	EMS	80.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAR 21 2016	COURTHOUSE	80.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAR 21 2016	EMS	50.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAR 21 2016	STAR HALL	70.00	.00	
25415	SPANISH VALLEY PEST CONTR	MAY 5 2016	GRAND CENTER	75.00	.00	
<b>Total SPANISH VALLEY PEST CONTROL:</b>				<b>625.00</b>	<b>.00</b>	
<b>SPECTRUM REACH</b>						
35021	SPECTRUM REACH	INV-1684891	MOAB TRAVEL COUNCIL	356.72	356.72	05/13/2016
35021	SPECTRUM REACH	INV-1685651	MOAB TRAVEL COUNCIL	1,000.00	1,000.00	05/13/2016
<b>Total SPECTRUM REACH:</b>				<b>1,356.72</b>	<b>1,356.72</b>	
<b>STANDARD PLUMBING SUPPLY CO</b>						
25570	STANDARD PLUMBING SUPPLY	FJRF21	MAINTENANCE/MIC	17.99	.00	
25570	STANDARD PLUMBING SUPPLY	FJT926	OSTA	47.69-	.00	
25570	STANDARD PLUMBING SUPPLY	FJT825	OSTA	207.31	.00	
25570	STANDARD PLUMBING SUPPLY	FGV641	OSTA	4.47	.00	
25570	STANDARD PLUMBING SUPPLY	FJTL12	OSTA	21.47	.00	
25570	STANDARD PLUMBING SUPPLY	FJT986	OSTA	111.84-	.00	
<b>Total STANDARD PLUMBING SUPPLY CO:</b>				<b>91.71</b>	<b>.00</b>	
<b>STATE FIRE SALES &amp; SERVICE</b>						
29764	STATE FIRE SALES & SERVICE	U126990	JAIL	689.26	.00	
29764	STATE FIRE SALES & SERVICE	U127000	COURTHOUSE	83.85	.00	
29764	STATE FIRE SALES & SERVICE	U126998	STAR HALL	40.60	.00	
29764	STATE FIRE SALES & SERVICE	U1256995	EOC	56.70	.00	
29764	STATE FIRE SALES & SERVICE	U126991	ROAD	197.09	.00	
29764	STATE FIRE SALES & SERVICE	U127004	MUSEUM	40.40	.00	
29764	STATE FIRE SALES & SERVICE	U127003	WEED	41.31	.00	
29764	STATE FIRE SALES & SERVICE	U126994	JAIL	67.64	.00	
29764	STATE FIRE SALES & SERVICE	U127005	MIC	133.45	.00	
29764	STATE FIRE SALES & SERVICE	U126996	SHERIFF OFFICE	116.45	.00	
29764	STATE FIRE SALES & SERVICE	U126993	OSTA	134.45	.00	
29764	STATE FIRE SALES & SERVICE	U126992	OSTA	700.81	.00	
29764	STATE FIRE SALES & SERVICE	U127002	TRAVEL COUNCIL	77.55	.00	
29764	STATE FIRE SALES & SERVICE	U126999	SHERIFF OFFICE	40.30	.00	
<b>Total STATE FIRE SALES &amp; SERVICE:</b>				<b>2,419.86</b>	<b>.00</b>	
<b>STATE OF UTAH/DTS</b>						
25660	STATE OF UTAH/DTS	610R1270032	DISPATCH/JAIL	25.74	.00	
<b>Total STATE OF UTAH/DTS:</b>				<b>25.74</b>	<b>.00</b>	
<b>STEVE REGAN CO.</b>						
34879	STEVE REGAN CO.	7276680	OSTA	2,154.11	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
Total STEVE REGAN CO.:				2,154.11	.00	
<b>SWENSON, MARGY</b>						
30083	SWENSON, MARGY	MAY 8 2016	S&R MILEAGE REIMBURSEMEN	13.50	.00	
30083	SWENSON, MARGY	APR 10 2016	S&R MILEAGE REIMBURSEMEN	2.70	.00	
Total SWENSON, MARGY:				16.20	.00	
<b>TIMES INDEPENDENT</b>						
26580	TIMES INDEPENDENT	22362	sheriff	135.00	.00	
26580	TIMES INDEPENDENT	22354	BUILDING	108.75	.00	
26580	TIMES INDEPENDENT	22354	LIBRARY	52.50	.00	
26580	TIMES INDEPENDENT	22354	planning	372.50	.00	
26580	TIMES INDEPENDENT	22354	HR/AD	176.25	.00	
26580	TIMES INDEPENDENT	22354	OSTA	191.25	.00	
Total TIMES INDEPENDENT:				1,036.25	.00	
<b>TORGERSON LAW OFFICES, P.C.</b>						
33296	TORGERSON LAW OFFICES, P.	545	PARENTAL DEFENDER	4,333.34	4,333.34	05/13/2016
33296	TORGERSON LAW OFFICES, P.	545	PUBLIC DEFENDER	6,666.66	6,666.66	05/13/2016
Total TORGERSON LAW OFFICES, P.C.:				11,000.00	11,000.00	
<b>TRICES USTRC PRIZELINE</b>						
35152	TRICES USTRC PRIZELINE	MAY 6 2016	DEPOSIT REFUND	275.00	.00	
Total TRICES USTRC PRIZELINE:				275.00	.00	
<b>TURNER LUMBER COMPANY</b>						
26920	TURNER LUMBER COMPANY	2646034	library	39.98	.00	
26920	TURNER LUMBER COMPANY	2645840	MMAD	14.99	.00	
26920	TURNER LUMBER COMPANY	2646981	GRAND CENTER	23.42	.00	
26920	TURNER LUMBER COMPANY	2645475	road	78.35	.00	
26920	TURNER LUMBER COMPANY	2646404	road	273.02	.00	
26920	TURNER LUMBER COMPANY	2645516	miC	1.29	.00	
26920	TURNER LUMBER COMPANY	2646185	road	50.95	.00	
26920	TURNER LUMBER COMPANY	2646525	road	124.99	.00	
26920	TURNER LUMBER COMPANY	2647045	road	14.25	.00	
26920	TURNER LUMBER COMPANY	2645501	road	499.06	.00	
26920	TURNER LUMBER COMPANY	2646257	WEED	3.99	.00	
26920	TURNER LUMBER COMPANY	2646083	osta	68.94	.00	
26920	TURNER LUMBER COMPANY	2645421	osta	446.44	.00	
26920	TURNER LUMBER COMPANY	2647314	CEMETERY	10.98	.00	
26920	TURNER LUMBER COMPANY	2646431	CEMETERY	.79	.00	
26920	TURNER LUMBER COMPANY	2645944	CEMETERY	21.98	.00	
26920	TURNER LUMBER COMPANY	2645851	CEMETERY	9.98	.00	
26920	TURNER LUMBER COMPANY	2647225	MMAD	11.99	.00	
26920	TURNER LUMBER COMPANY	2646847	GRAND CENTER	33.96	.00	
26920	TURNER LUMBER COMPANY	2648229	mAINTENANCE	32.64	.00	
26920	TURNER LUMBER COMPANY	2645860	road	76.91	.00	
26920	TURNER LUMBER COMPANY	2645435	GRAND CENTER	46.84	.00	
26920	TURNER LUMBER COMPANY	2646806	road	81.96	.00	
26920	TURNER LUMBER COMPANY	2647303	GRAND CENTER	25.90	.00	
26920	TURNER LUMBER COMPANY	2647266	road	14.99	.00	
26920	TURNER LUMBER COMPANY	2645962	osta	50.69	.00	
26920	TURNER LUMBER COMPANY	2646440	osta	10.50	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
26920	TURNER LUMBER COMPANY	2645508	osta	21.99	.00	
26920	TURNER LUMBER COMPANY	2645453	osta	220.18	.00	
26920	TURNER LUMBER COMPANY	2647090	CEMETERY	6.48	.00	
26920	TURNER LUMBER COMPANY	2646147	CEMETERY	5.97	.00	
26920	TURNER LUMBER COMPANY	2645745	CEMETERY	19.98	.00	
26920	TURNER LUMBER COMPANY	2646969	CEMETERY	13.98	.00	
Total TURNER LUMBER COMPANY:				2,194.54	.00	
<b>UTAH LOCAL GOVERNMENT TRUST</b>						
30551	UTAH LOCAL GOVERNMENT T	1524881	GENERAL	5,742.87	5,742.87	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	ROAD	1,172.84	1,172.84	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	UMTRA	38.52	38.52	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	CJC	77.71	77.71	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	Sand Flats	353.96	353.96	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	MMAD	234.81	234.81	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524882	BOND 68494974 - BLANKET E&	211.25	211.25	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524880	MAINTENANCE TRACTOR ATTA	891.51	891.51	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	E911	44.38	44.38	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	Travel Council	241.29	241.29	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	EMS	580.51	580.51	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	FAMILY SUPPORT	75.32	75.32	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	LIBRARY	503.34	503.34	05/13/2016
30551	UTAH LOCAL GOVERNMENT T	1524881	DV	19.40	19.40	05/13/2016
Total UTAH LOCAL GOVERNMENT TRUST:				10,187.71	10,187.71	
<b>UTAH RETIREMENT SYSTEMS</b>						
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	341.05	341.05	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	8.29	8.29	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	1,739.56	1,739.56	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	200.00	200.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	50.00	50.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	250.00	250.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	184.52	184.52	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	483.62	483.62	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	32.09	32.09	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	25.45	25.45	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	176.91	176.91	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pol P	1,224.74	1,224.74	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	44.03	44.03	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	167.98	167.98	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	73.20	73.20	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	14.86	14.86	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	22.29	22.29	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	44.88	44.88	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB PS HYB	223.35	223.35	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DC 401(K) P	21.19	21.19	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DC 401(K) P	211.90	211.90	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement 457 Pay Period:	40.93	40.93	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement ROTH IRA Pay	684.00	684.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement ROTH IRA Pay	95.00	95.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement TRADITIONAL I	5.00	5.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement Retirement-repa	91.66	91.66	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement Retirement-repa	30.58	30.58	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	613.23	613.23	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	124.44	124.44	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	186.68	186.68	05/11/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	375.88	375.88	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DC Pay Per	300.84	300.84	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	12,835.54	12,835.54	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	874.14	874.14	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	410.77	410.77	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	965.13	965.13	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	1,315.20	1,315.20	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Contributory	393.59	393.59	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Police Non-C	8,203.52	8,203.52	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	50.00	50.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	315.71	315.71	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	1,382.94	1,382.94	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	94.18	94.18	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	44.26	44.26	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	103.98	103.98	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 401(K) Pay	141.69	141.69	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	70.70	70.70	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	300.00	300.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	368.38	368.38	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	36.62	36.62	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	80.46	80.46	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB HYB 401	47.08	47.08	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB PS HYB	128.29	128.29	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DC 401(K) P	415.00	415.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DC 401(K) P	449.69	449.69	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement 457 Pay Period:	982.16	982.16	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement 457 Pay Period:	50.00	50.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement ROTH IRA Pay	40.00	40.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement TRADITIONAL I	25.00	25.00	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement Retirement-repa	1,384.68	1,384.68	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement Retirement-repa	25.63	25.63	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	3,085.82	3,085.82	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	306.71	306.71	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	673.97	673.97	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB Hybrid P	394.39	394.39	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DB PS Hybri	3,972.62	3,972.62	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T2 DC Pay Per	141.76	141.76	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	4,488.54	4,488.54	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	297.83	297.83	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	236.23	236.23	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	1,642.14	1,642.14	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Non-Contribu	354.62	354.62	05/11/2016
27725	UTAH RETIREMENT SYSTEMS	PR0508162	Utah Retirement T1 Contributory	892.18	892.18	05/11/2016
Total UTAH RETIREMENT SYSTEMS:				56,109.30	56,109.30	
<b>UTAH STATE TAX COMMISSION</b>						
27735	UTAH STATE TAX COMMISSIO	16-258	aSSESSOR	431.22	.00	
Total UTAH STATE TAX COMMISSION:				431.22	.00	
<b>UTAH STATE TREASURER</b>						
27740	UTAH STATE TREASURER	APRIL 2016	90% SURCHARGE	7,937.70	7,937.70	05/09/2016
27740	UTAH STATE TREASURER	APRIL 2016	childrens defense trst fund	150.00	150.00	05/09/2016
27740	UTAH STATE TREASURER	APRIL 2016	OFF-HIGHWAY VEHICLES	1,062.50	1,062.50	05/09/2016
27740	UTAH STATE TREASURER	APRIL 2016	35% surcharge	6,383.35	6,383.35	05/09/2016
27740	UTAH STATE TREASURER	APRIL 2016	80%OF \$32 COURT SECURITY	11,806.58	11,806.58	05/09/2016

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
<b>Total UTAH STATE TREASURER:</b>				<b>27,340.13</b>	<b>27,340.13</b>	
<b>UTAH TOURISM INDUSTRY ASSOCIATION</b>						
27790	UTAH TOURISM INDUSTRY AS	1708	MOAB TRAVEL COUNCIL	2,000.00	2,000.00	05/13/2016
<b>Total UTAH TOURISM INDUSTRY ASSOCIATION:</b>				<b>2,000.00</b>	<b>2,000.00</b>	
<b>UTAH.COM</b>						
27825	UTAH.COM	18333	MOAB TRAVEL COUNCIL	1,382.95	1,382.95	05/13/2016
<b>Total UTAH.COM:</b>				<b>1,382.95</b>	<b>1,382.95</b>	
<b>WALKERS TRUE VALUE HARDWARE</b>						
28255	WALKERS TRUE VALUE HARD	682705	CEMETERY DISTRICT	8.77	.00	
<b>Total WALKERS TRUE VALUE HARDWARE:</b>				<b>8.77</b>	<b>.00</b>	
<b>WASATCH STEEL, INC.</b>						
35095	WASATCH STEEL, INC.	4143588	OSTA	254.86	.00	
<b>Total WASATCH STEEL, INC.:</b>				<b>254.86</b>	<b>.00</b>	
<b>WASH IT EXPRESS</b>						
30367	WASH IT EXPRESS	APRIL 2016	GRAND COUNTY FLEET	8.82	.00	
30367	WASH IT EXPRESS	APRIL 2016	EMS	59.87	.00	
30367	WASH IT EXPRESS	APRIL 2016	SHERIFF	190.57	.00	
<b>Total WASH IT EXPRESS:</b>				<b>259.26</b>	<b>.00</b>	
<b>WEBCLARITY SOFTWARE INC.</b>						
31939	WEBCLARITY SOFTWARE INC.	57326	LIBRARY	177.00	.00	
<b>Total WEBCLARITY SOFTWARE INC.:</b>				<b>177.00</b>	<b>.00</b>	
<b>WEBSTER, JAMES</b>						
32650	WEBSTER, JAMES	MAY 8 2016	SAR MILEAGE REIMBURSEMEN	18.36	.00	
<b>Total WEBSTER, JAMES:</b>				<b>18.36</b>	<b>.00</b>	
<b>WHITE, SANDY</b>						
33906	WHITE, SANDY	MAY 4 2016	TRANSFER	23.00	.00	
<b>Total WHITE, SANDY:</b>				<b>23.00</b>	<b>.00</b>	
<b>WORKFORCE QA</b>						
34690	WORKFORCE QA	507007	EMS	45.00	.00	
34690	WORKFORCE QA	507007	ROAD	45.00	.00	
34690	WORKFORCE QA	507007	SANDFLATS	135.00	.00	
34690	WORKFORCE QA	507007	EMS-RANDOM	45.00	.00	
34690	WORKFORCE QA	507007	ROAD	25.00	.00	
34690	WORKFORCE QA	507007	SAR	90.00	.00	
<b>Total WORKFORCE QA:</b>				<b>385.00</b>	<b>.00</b>	
<b>XEROX CORPORATION</b>						
29100	XEROX CORPORATION	084446117	recorder	31.04	.00	

Vendor	Vendor Name	Invoice Number	Description	Net Invoice Amount	Amount Paid	Date Paid
Total XEROX CORPORATION:				31.04	.00	
Grand Totals:				479,214.14	395,624.61	

Dated: 5/13/16

County Auditor: Thoma Cance

Council Chairperson: Elizabeth A. Sullivan

Council: [Signature]

Council: [Signature]

Check No. 92567-9296

Report Criteria:

- Detail report.
- Invoices with totals above \$0 included.
- Paid and unpaid invoices included.

Total AIRPORT:	4	00	00	3,349.67
Total AMBULANCE:	28	.00	00	13,330.10
Total ASSESSOR:	4	00	.00	3,499.03
Total ATTORNEY:	5	.00	00	6,607.77
Total BUILDING INSPECTOR:	3	.00	00	4,335.18
Total CEMETARY DISTRICT:	6	00	.00	5,186.15
Total CHILD JUST CTR:	1	00	.00	1,564.90
Total CLERK/AUDITOR:	6	.00	.00	5,926.53
Total COUNTY ADMINISTRATOR:	4	.00	.00	5,582.06
Total COUNTY COUNCIL:	7	.00	.00	2,085.13
Total COURTHOUSE:	6	00	00	5,431.34
Total FAMILY SUPPORT CENTE:	4	00	.00	2,370.77
Total HUMAN RESOURCES:	1	.00	00	1,774.16
Total JAIL:	13	.00	00	15,504.10
Total JUSTICE COURT:	4	.00	00	3,993.78
Total LIBRARY:	18	.00	.00	10,680.17
Total MOAB MOSQUITO DISTRI:	4	.00	.00	5,130.96
Total MOAB PROMOTION:	4	.00	00	4,809.15
Total PLANNING & ZONING:	3	00	00	3,664.52
Total RECORDER:	3	.00	.00	3,187.43
Total ROADS - CLASS B:	19	.00	.00	23,904.48
Total SANDFLATS RECREATION:	12	.00	00	8,030.56
Total SEARCH & RESCUE:	19	00	.00	4,471.68
Total SENIOR CITIZENS:	7	00	00	5,273.48
Total SHERIFF:	20	.00	.00	27,642.31
Total SPANISH TRAIL ARENA:	5	00	.00	5,144.70
Total TREASURER:	2	00	00	2,661.16
Total WEED CONTROL:	4	00	.00	2,949.25
<b>Grand Totals:</b>	<b>216</b>	<b>00</b>	<b>.00</b>	<b>188,090.52</b>

Dated: 5-11-16  
 County Auditor: Dana Cavel  
 Council Chairperson: Elizabeth A. Jubb  
 Council: [Signature]  
 Council: [Signature]  
 Check No. 32484-32502  
51316101-51316302

## Treasurer's Report 5/17/2016

### Internal Controls, Investments and 2015 Collections

#### **Internal Controls**

Internal controls are processes put in place by the governing body or management, to provide reasonable assurance that funds will be properly safeguarded. Internal controls are an important and timely topic for Utah Counties after the allegations of fraud against the Treasurer in Kane County.

What was happening in Kane County? The Treasurer was making direct transfers from the property tax account to personal accounts. The Treasurer was also apparently manipulating deposits to remove cash. Lastly, the Treasurer was covering her tracks by billing property taxes and then abating them after the property owner made a payment. All of this was possible because of a lack of separation of duties or of a secondary review. The Treasurer made all deposits, had access to the accounting record and was the only one reconciling the bank account.

Could this happen in Grand County? Direct transfers out of the property tax account could not happen undetected as both the Treasurer and the Chief Deputy Treasurer independently reconcile that account and have online access to its transactions. Both the Treasurer and the Chief Deputy Treasurer also have the responsibility to make deposits and ensure that they match the tax accounting software. Therefore secondary review currently exists for the property tax account. The general fund is already reconciled jointly between the Treasurer's Office and the Clerk Auditor's Office. Therefore, any general fund discrepancies have to be explained to the satisfaction of both offices.

What will be changing in the Treasurer's Office? Despite these safeguards, the Clerk/Auditor and I agree that her office should perform a reconciliation of the property tax account. In the event that either the Treasurer or the Chief Deputy Treasurer was absent from work for an extended period of time, there would not be sufficient secondary review for the property tax account.

It is theoretically possible for the Treasurer or Chief Deputy Treasurer to accept tax payments, abate or cancel them in the accounting system and then pocket the cash. Therefore, I have asked the Clerk/Auditor's Office to perform an audit of abatements and cancelations for 2015 and will request one annually going forward. The audit will allow the Clerk/Auditor's Office to match all abatements and cancelations with signed applications from the taxpayer, or other evidence, ensuring that all entries are legitimate. I will also continue to bring all abatements and cancelations before the council with explanations for each reduction in tax.

What else needs to be done? I will be examining all of the processes in my office more closely and will report my findings to the Council. State Code 7-36-45 states "Each county legislative body shall, with the advice and assistance of the county auditor and county treasurer, implement an internal control structure..." Therefore, I will also provide any advice or assistance that is helpful to the Council or the

Clerk/Auditor in regards to my office or other parts of the County. I also welcome any examination of the records in the Treasurer's Office.

## Investments

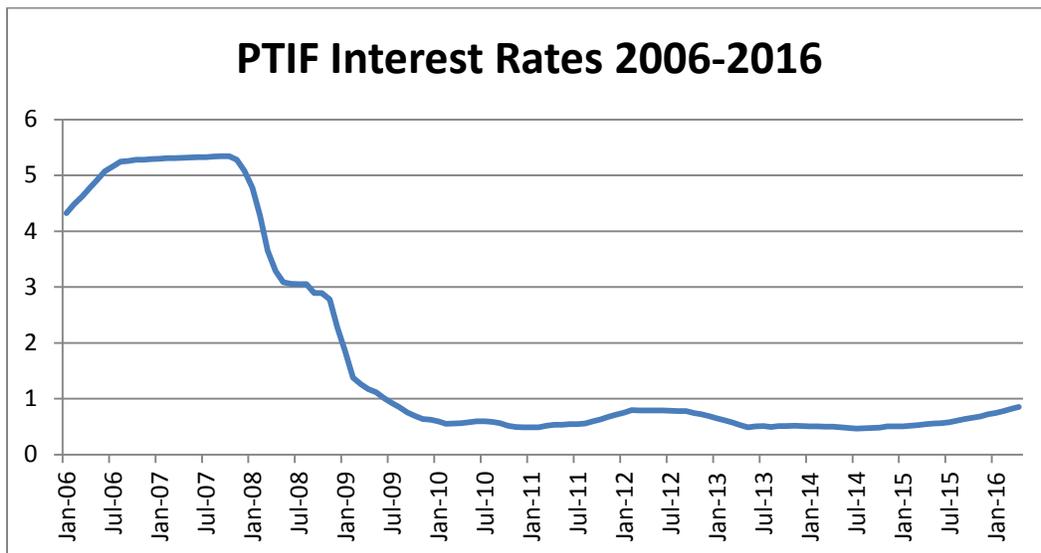
### Zions Capital Advisors

Earlier this year, the Council approved my recommendation to invest 2 million of the general fund balance with Zions Capital Advisors (ZCA). The biggest downside to this investment was that if the funds were unexpectedly needed to cover an expense, then some investment return could be lost. The County's available cash, as of 4/30/2016, not counting the ZCA investment, is not significantly different from the cash available at the same time last year ((\$4,401,341 in 2016 vs. \$4,430,779 in 2015). In 2015 our available cash never dropped below 2 million. Therefore, I don't anticipate any need to pull money from our ZCA investment.

Attached is a report of the portfolio holdings in our ZCA account. Highlighted are the names of the companies and agencies that money has been invested with so far, as well as the maturity date and yield. As of 5/11/2016 about half of our money has been invested in bonds outside of the Public Treasurer's Investment Fund (PTIF). ZCA is purchasing attractive bonds as they become available. Any money not invested in bonds is held in a PTIF account so we are always earning at least the same interest rate as PTIF. I am receiving training in early July that will allow me to provide more in depth reports on the performance of this investment.

### Public Treasurer's Investment Fund

Interest rates have been increasing in the PTIF over the last year (average 0.6% in 2015 vs. 0.8% in 2016) but are still very low historically (see graph below). Grand County's interest earnings increased in 2015 to \$33,563 from \$19,722 in 2014. Even with the rate increases, interest earnings will likely continue to be a very small component of County income. Attached is a quarterly report from PTIF which show the top ten holdings and current interest rate.



### Zions Bank

Our general fund bank account is not currently earning any interest but it does earn a credit that is applied toward monthly bank fees. Bank fees have decreased since I negotiated to lower them in September 2015. The average monthly bank fee has dropped from \$660.55 to \$453.21. Zions has also provided Grand County with check scanning services and hardware as part of the negotiation. Scanning makes deposits easier and allows the County to retain images of deposited checks for reference and research.

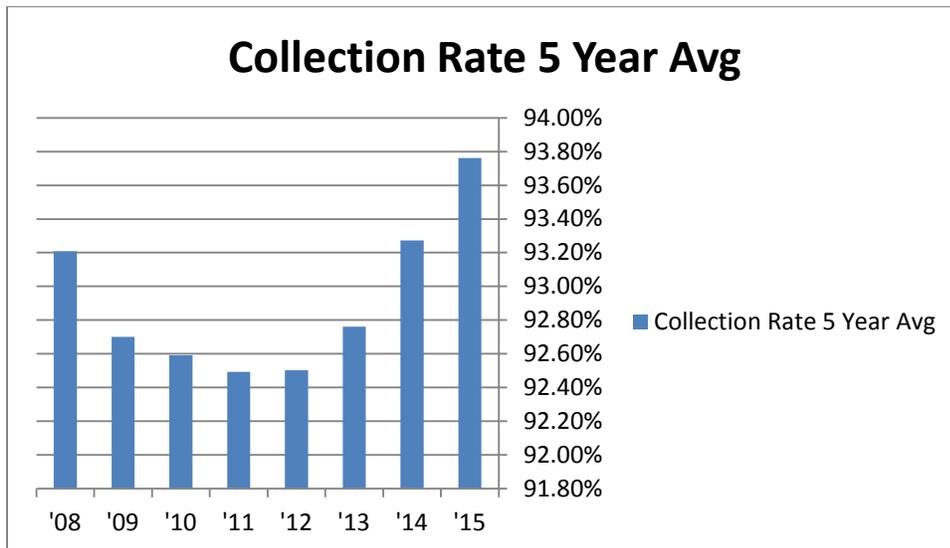
### Wells Fargo and Mountain America Credit Union

The property tax account was switched from Wells Fargo to Mountain America Credit Union (MACU) in March. I did this after analyzing fees and determining that MACU was significantly cheaper. A check scanner and service is also included with the MACU account. Average monthly fees for the property tax account have dropped from \$113.67 to \$30.00.

## **2015 Collections**

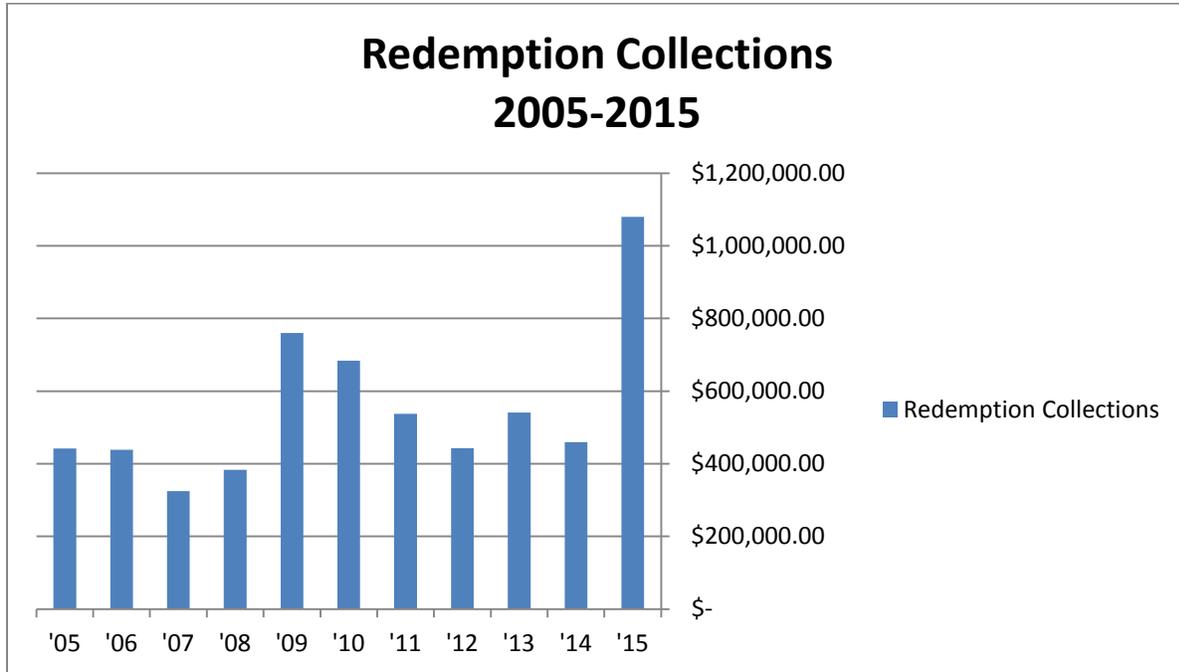
### Collection Rate

The collection rate is the proportion of taxes collected vs. the total taxes charged. It is an important statistic that is calculated by the Treasurer's Office and reported to the State. The State Tax Commission uses a 5 year average of the collection rate in its formula for each entity's certified tax rate. The higher the collection rate the lower the certified tax rate. There was a significant increase in the collection rate from 2014 (92.8%) to 2015 (94.3%). This increase will result in lower taxes for every taxpayer in the County. Along with general improvement in the economy, I think that the redesigned tax bill helped improve collections by being clearer and easier to understand.



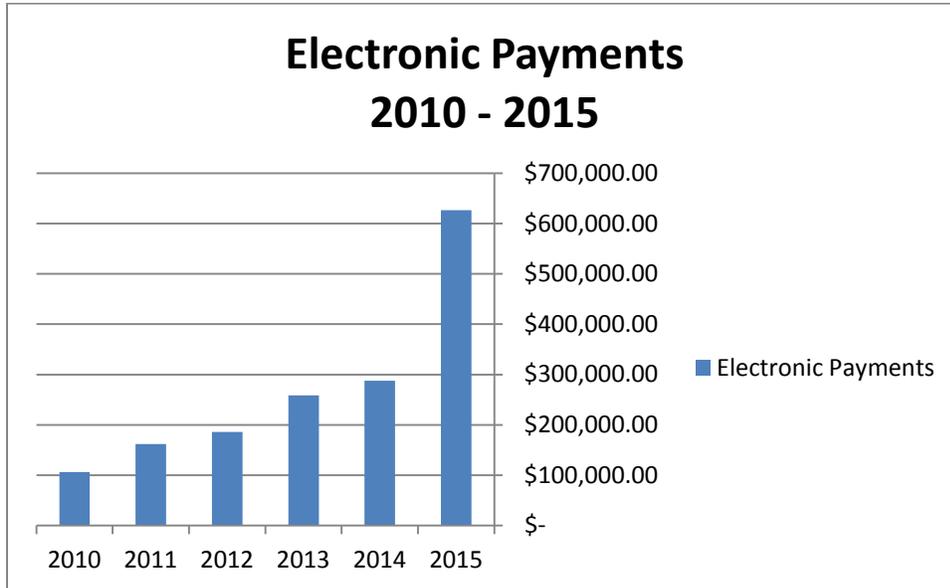
### Redemption Collections

The amount of delinquent taxes collected each year is also calculated by the Treasurer's Office and reported to the State. Similar to the collection rate, redemption collections are factored into the certified tax rate. Increased redemption collections result in a lower certified tax rate. Redemption collections in 2015 (\$1,079,938) were more than double 2014 (\$459,557). Again, this increase will result in lower taxes for every taxpayer in the County. The dramatic spike in redemption collections can be explained by our effort to keep delinquent tax payers better informed. The post cards sent to each delinquent tax payer and inclusion of delinquencies on the tax bill had a major impact on collections.



### Electronic Payments

Payments received by debit/credit cards or by transfer from a bank account also increased significantly in 2015 (\$626,349) vs. 2014 (\$287,733). These payments are automatically downloaded into our tax accounting program and eliminate the need to open envelopes and manually enter transactions. Electronic payment options were more prominently advertized on the tax bill, the Treasurer’s website and in all of my communication with taxpayers. This effort to encourage electronic payments has clearly led to more use. In addition to being more efficient for the County, electronic payments are more convenient for taxpayers who use it.



### **Upcoming Projects**

Tax information online – A web site has been created and is in the testing stages that will allow the public to search for parcel specific tax information. This will greatly reduce phone calls to the Treasurer’s Office for basic tax information. It will also be more convenient for taxpayers, mortgage companies, title companies, banks and realtors.

Automatic payment of property taxes – Later this year, tax payers will be able to sign up to have the exact amount of tax they owe automatically withdrawn from their bank account on an annual or monthly basis. This will increase electronic payments and should improve the collection rate. It will also help taxpayers avoid the late payment penalty and will be more convenient in general for those who sign up.

**INSTITUTIONAL LIQUIDITY  
MANAGEMENT**

**Report:** Portfolio Holdings  
**Account:** ZWA-Grand County (63072)  
**As of:** 05/11/2016  
**Base Currency:** USD

**Cash**

Identifier	Base Original Units	Base Current Units
CCYUSD	(200,114.88)	(200,114.88)
<b>CCYUSD</b>	<b>(200,114.88)</b>	<b>(200,114.88)</b>

**MMFund**

Identifier	Base Original Units	Base Current Units
654080001	1,226,093.85	1,226,093.85
<b>654080001</b>	<b>1,226,093.85</b>	<b>1,226,093.85</b>

**Fixed Income**

Identifier	Base Original Units	Base Current Units
06048WDB3	32,000.00	32,000.00
172967KF7	100,000.00	100,000.00
233851BD5	50,000.00	50,000.00
3134G9EN3	100,000.00	100,000.00
3134G8PB9	100,000.00	100,000.00
3134G8SF7	100,000.00	100,000.00
3134G9FT9	100,000.00	100,000.00
3135G0J46	100,000.00	100,000.00
3135G0TB9	100,000.00	100,000.00
38141EB73	100,000.00	100,000.00
61745E2T7	40,000.00	40,000.00
61745ET92	50,000.00	50,000.00
<b>---</b>	<b>972,000.00</b>	<b>972,000.00</b>

**Summary**

Identifier	Base Original Units	Base Current Units
<b>---</b>	<b>1,997,978.97</b>	<b>1,997,978.97</b>

- \* Grouped By: Asset Class
- \* Groups Sorted By: Asset Class
- \* Weighted By: Base Market Value + Accrued
- \* Holdings Displayed By: Position

Description	Asset Class	Rating	Coupon	Final Maturity
Payable	Cash	AAA	0.000	05/11/2016

<b>Payable</b>	<b>Cash</b>	<b>AAA</b>	<b>0.000</b>	<b>05/11/2016</b>
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Description	Asset Class	Rating	Coupon	Final Maturity
UT St Treasurer's Public Inv Pool A	MMFund	NA	0.000	05/11/2016

<b>UT St Treasurer's Public Inv Pool A</b>	<b>MMFund</b>	<b>NA</b>	<b>0.000</b>	<b>05/11/2016</b>
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Description	Asset Class	Rating	Coupon	Final Maturity
BANK OF AMERICA CORPORATION	Fixed Income	BBB+	2.690	08/04/2017
CITIGROUP INC	Fixed Income	BBB+	1.496	12/07/2018
DAIMLER FINANCE NORTH AMERICA LLC	Fixed Income	A-	1.125	03/10/2017
FEDERAL HOME LOAN MORTGAGE CORP	Fixed Income	AAA	1.625	05/26/2020
FEDERAL HOME LOAN MORTGAGE CORP	Fixed Income	AAA	1.875	03/30/2021
FEDERAL HOME LOAN MORTGAGE CORP	Fixed Income	AAA	1.900	03/30/2021
FEDERAL HOME LOAN MORTGAGE CORP	Fixed Income	AAA	1.875	05/24/2021
FEDERAL NATIONAL MORTGAGE ASSOCIATION	Fixed Income	AAA	1.250	02/26/2019
FEDERAL NATIONAL MORTGAGE ASSOCIATION	Fixed Income	AAA	1.570	01/09/2020
GOLDMAN SACHS GROUP INC	Fixed Income	A-	1.718	11/15/2018
MORGAN STANLEY	Fixed Income	A-	4.500	11/28/2018
MORGAN STANLEY DEAN WITTER & CO.	Fixed Income	A-	5.000	10/27/2018

---	<b>Fixed Income</b>	<b>AA</b>	---	<b>10/18/2019</b>
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Description	Asset Class	Rating	Coupon	Final Maturity
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---	---	<b>AA-</b>	---	<b>01/14/2018</b>
-----	-----	------------	-----	-------------------

Effective Maturity	Base Book Value	Market Price	Yield
05/11/2016	(200,114.88)	1.000	0.000
<b>05/11/2016</b>	<b>(200,114.88)</b>	<b>1.000</b>	<b>0.000</b>

Effective Maturity	Base Book Value	Market Price	Yield
05/11/2016	1,226,093.85	1.000	0.000
<b>05/11/2016</b>	<b>1,226,093.85</b>	<b>1.000</b>	<b>0.000</b>

Effective Maturity	Base Book Value	Market Price	Yield
08/04/2017	32,173.91	100.343	2.409
12/07/2018	99,278.28	99.495	1.693
03/10/2017	49,837.68	100.012	1.110
08/26/2016	100,000.00	100.030	1.565
03/30/2021	100,000.00	99.990	1.877
03/30/2021	100,000.00	100.000	1.896
08/24/2016	99,993.00	100.030	1.814
02/26/2019	100,000.00	99.950	1.268
01/09/2020	100,000.00	100.000	1.562
11/15/2018	99,763.02	99.984	1.737
11/28/2018	41,882.14	106.750	1.772
10/27/2018	53,183.60	106.156	2.416
<b>12/05/2018</b>	<b>976,111.64</b>	<b>---</b>	<b>1.716</b>

Effective Maturity	Base Book Value	Market Price	Yield
<b>08/12/2017</b>	<b>2,002,090.61</b>	<b>---</b>	<b>0.838</b>

**Utah Public Treasurers' Investment Fund**  
**Portfolio Statistics**  
**as of March 31, 2016**

**Portfolio Summary**

Weighted Average Maturity (WAM)	55.17
Percentage of Portfolio Maturing/Repricing with 30 days	30.64%
Percentage of Portfolio Maturing/Repricing with 90 days	89.00%
360 Day Interest Rate	0.81%
365 Day Interest Rate	0.82%

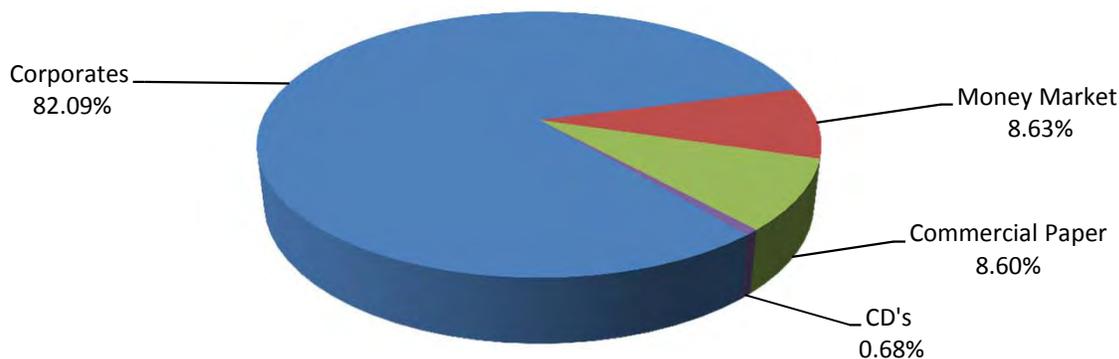
**Top Ten Holdings**

Fidelity Institutional Money Market Fund	4.31%
Wells Fargo & Co	3.71%
Citigroup	3.14%
American Express	3.10%
General Electric	2.97%
Bank of America	2.73%
Met Life	2.62%
Federated Prime Money Market Fund	2.59%
Morgan Stanley	2.28%
JP Morgan Chase	2.11%
<i>Top Ten as a Percentage of Total Portfolio</i>	29.56%

**Key Rate History**

	<u>3/31/2016</u>	<u>12/31/2015</u>	<u>3/31/2015</u>
Fed Funds Target	0.25-0.50%	0.25-0.50%	0-0.25%
3 Month Treasury Bill	0.17%	0.16%	0.03%
3 Month LIBOR	0.63%	0.61%	0.27%
30 Day CP	0.40%	0.40%	0.13-0.17%
1 Year Treasury Bill	0.58%	0.60%	0.27%
2 Year Treasury Note	0.72%	1.05%	0.57%

**Portfolio Composition**



# May 2016

April 2016							June 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2				1	2	3	4
3	4	5	6	7	8	9	5	6	7	8	9	10	11
10	11	12	13	14	15	16	12	13	14	15	16	17	18
17	18	19	20	21	22	23	19	20	21	22	23	24	25
24	25	26	27	28	29	30	26	27	28	29	30		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	<ul style="list-style-type: none"> <li>1:00PM Affordable Housing Task Force (Chambers)</li> <li>5:00PM Airport Board (Chambers)</li> </ul>	<ul style="list-style-type: none"> <li>8:30AM Safety &amp; Accident Review Committee (Chambers)</li> <li>2:00PM Housing Workshop (Chambers)</li> <li>4:00PM County Council Meeting (Chambers)</li> </ul>	4	<ul style="list-style-type: none"> <li>8:30AM CIB Review Mtg with Transportation District on the La Sal Loop Rd application (SLC Multi agency office Building)</li> <li>5:30PM Mosquito Abatement District (District Office)</li> <li>7:00PM Grand Water &amp; Sewer Service Agency (District Office)</li> </ul>	6	7
8	<ul style="list-style-type: none"> <li>12:30PM Council on Aging (Grand Center)</li> <li>7:00PM Conservation District (Youth Garden Project)</li> </ul>	<ul style="list-style-type: none"> <li>12:00PM Trail Mix Committee (Grand Center)</li> <li>3:00PM Travel Council Advisory Board (Chambers)</li> <li>5:30PM OSTA Advisory Committee (OSTA)</li> <li>6:00PM Cemetery Maintenance District (Sunset Memorial)</li> <li>6:00PM Transportation SSD (Road Shed)</li> </ul>	<ul style="list-style-type: none"> <li>12:00PM Area Sector Analysis Process (ASAP) Steering Committee Meeting (USU Moab-Room R)</li> <li>5:00PM Agenda Summaries Due</li> <li>6:00PM Planning Commission (Chambers)</li> <li>7:00PM Thompson Springs Fire District (Thompson)</li> </ul>	<ul style="list-style-type: none"> <li>4:00PM Solid Waste Management SSD (District Office)</li> <li>5:30PM Library Board (Library)</li> <li>7:00PM Thompson Springs Water SSD (Thompson)</li> </ul>	<ul style="list-style-type: none"> <li>10:00AM Historical Preservation Commission (Grand Center)</li> <li>2:00PM Moab Boulder Park Grand Opening (Lions Park)</li> </ul>	14
15	16	<ul style="list-style-type: none"> <li>12:00PM Chamber of Commerce (Zions Bank)</li> <li>2:00PM Housing Workshop (Chambers)</li> <li>4:00PM County Council Meeting (Chambers)</li> <li>6:00PM Municipal Building Authority Meeting (Chambers (6pm or later))</li> </ul>	<ul style="list-style-type: none"> <li>1:00PM Moab Area Watershed Partnership (Water District Office)</li> <li>6:00PM Recreation SSD (City Chambers)</li> </ul>	<b>Biz Summit ♦ Price</b> <ul style="list-style-type: none"> <li>12:00PM Housing Authority Board (City Chambers)</li> <li>1:30PM Exemplary / Performance Review Committee Meeting (Chambers)</li> <li>4:00PM Arches SSD (Fairfield Inn &amp; Suites)</li> <li>7:00PM Grand Water &amp; Sewer Service Agency (District Office)</li> </ul>	20	21
22	23	<b>Gov's Utah Energy Developme... ♦ SLC</b> <ul style="list-style-type: none"> <li>2:45PM Mental Health Board (Green River)</li> <li>5:00PM Public Health Board (Green River)</li> </ul>		<b>Western Interstate Region Conference ♦ Jackson, WY</b> <ul style="list-style-type: none"> <li>6:00PM Planning Commission (Chambers)</li> <li>1:00PM Association of Local Governments (ALG) (Price)</li> <li>5:30PM Canyonlands Healthcare SSD (Moab Regional Hospital)</li> </ul>		28
29	<b>Memorial Day</b> <ul style="list-style-type: none"> <li>8:00AM County Offices Closed</li> </ul>	<ul style="list-style-type: none"> <li>9:00AM Council Administrative Workshop (if needed) (Chambers)</li> </ul>	<ul style="list-style-type: none"> <li>5:00PM Agenda Summaries Due</li> </ul>	<ul style="list-style-type: none"> <li>5:30PM Mosquito Abatement District (District Office)</li> <li>7:00PM Grand Water &amp; Sewer Service Agency (District Office)</li> </ul>	3	4

# June 2016

May 2016							July 2016							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
1	2	3	4	5	6	7							1	2
8	9	10	11	12	13	14	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	17	18	19	20	21	22	23	
29	30	31					24	25	26	27	28	29	30	
							31							

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	8:00AM - 5:00PM County Offices Closed 30	9:00AM - 9:00AM Council Administrative Workshop (if needed) (Chambers) 31	5:00PM - 5:30PM Agenda Summaries Due 1	5:30PM - 5:30PM Mosquito Abatement District (District Office) 7:00PM - 7:00PM Grand Water & Sewer Service Agency (District Office) 2	3	4
5	5:00PM - 5:00PM Airport Board (Chambers) 6	<b>ULGT Risk Assess</b> 8:30AM - 8:30AM Safety & Accident Review Committee (Chambers) 2:00PM - 3:45PM Housing Workshop (Chambers) 4:00PM - 4:00PM County Council Meeting (Chambers) 7	6:00PM - 6:00PM Planning Commission (Chambers) 7:00PM - 7:00PM Thompson Springs Fire District (Thompson) 8	10:30AM - 3:00PM Open & Public Meetings Act Training (Grand Center) 3:30PM - 3:30PM Sand Flats Stewardship Committee (Chambers) 4:00PM - 4:00PM Solid Waste Management SSD (District Office) 7:00PM - 7:00PM Thompson Springs Water SSD (Thompson) 9	10	11
12	12:30PM - 12:30PM Council on Aging (Grand Center) 7:00PM - 7:00PM Conservation District (Youth Garden Project) 13	12:00PM - 12:00PM Trail Mix Committee (Grand Center) 3:00PM - 3:00PM Travel Council Advisory Board (Chambers) 5:30PM - 5:30PM OSTA Advisory Committee (OSTA) 6:00PM - 6:01PM Cemetery Maintenance District (Sunset Memorial) 6:00PM - 6:00PM Transportation SSD (Road Shed) 14	5:00PM - 5:00PM Agenda Summaries Due 6:00PM - 6:00PM Recreation SSD (City Chambers) 15	12:00PM - 12:00PM Housing Authority Board (City Chambers) 1:30PM - 3:30PM Exemplary / Performance Review Committee Meeting (Chambers) 4:00PM - 4:00PM Arches SSD (Fairfield Inn & Suites) 16	17	18
19	12:00PM - 12:30PM Chamber of Commerce (Zions Bank) 2:00PM - 3:45PM Housing Workshop (Chambers) 4:00PM - 4:00PM County Council Meeting (Chambers) 20	12:00PM - 12:30PM Chamber of Commerce (Zions Bank) 2:00PM - 3:45PM Housing Workshop (Chambers) 4:00PM - 4:00PM County Council Meeting (Chambers) 21	1:00PM - 1:00PM Homeless Coordinating Committee (Zions Bank) 6:00PM - 6:00PM Planning Commission (Chambers) 22	9:00AM - 9:00AM Canyon Country Partnership (DNR Building, Price) 12:00PM - 12:00PM Local Emergency Planning Committee (Fire Dept) 1:00PM - 1:00PM Association of Local Governments (ALG) (Price) 5:30PM - 5:30PM Canyonlands Healthcare SSD (Moab Regional Hospital) 23	7:00PM - 7:00PM Grand Water & Sewer Service Agency (District Office) 24	25
26	27	<b>Primary Elections</b> 28	5:00PM - 5:00PM Agenda summaries Due 29	30	1	2



## Employment Opportunities

### **Emergency Medical Technician - Basic**

Posted March 15, 2016 8:00 AM | Closes September 30, 2016 3:00 PM

Job Summary Under the supervision of the Director of Emergency Medical services , this position requires current Utah Emergency Medical ... [Full Description](#)

[Apply Online](#)

### **GCSO - Assistant Food Service Manager in Jail**

Posted February 19, 2016 | Closes June 30, 2016 3:00 PM

Apply Online Job Summary Under the supervision of the Food Service Manager, assists in planning menus, ordering supplies, and preparing meals for persons... [Full Description](#)

### **GCSO Corrections Officer**

Posted May 10, 2016 | Closes May 27, 2016 5:00 PM

Apply Online Job Summary Under the supervision of the Assistant Jail Commander the Corrections Officer is a sworn member of the Sheriff's Office whose work... [Full Description](#)

### **GCSO Drug Court Tracker**

Posted May 10, 2016 | Closes May 27, 2016 5:00 PM

Apply Online Job Summary The Deputy Sheriff Drug Court Tracker under the direction of the Sheriff provides efficient public safety to the citizens of Grand County,... [Full Description](#)

### **Library Clerk (Part time)**

Posted April 18, 2016 2:00 PM | Closes July 1, 2016

Job Summary Under the direction of the Head of Adult Services, the Library Clerk performs duties relevant to the daily operations of the Library. The Library Clerk will... [Full Description](#)

[Apply Online](#)

### **Noxious Weed Control Technician (Seasonal)**

Posted April 18, 2016 8:00 AM | Closes May 16, 2016

Job Summary Under the direction of the Weed Supervisor the Weed Technician performs a variety of work associated with grant funding which may include collection of data... [Full Description](#)

[Apply Online](#)

**“Get On Board!”**

**The Grand County Council invites you to attend the required  
*Annual Open and Public Meetings Act Training***

**WHEN: Thursday, June 9, 2016**

**Session 1: 10:30 AM to noon** (Required once for each term of a Board Member’s service, typically every 4 years)

**Budgeting and Financial Reporting** (Ryan Roberts, State Auditor’s Office)

**Noon: Pizza served for all attendees**

**Session 2: 12:15 to 1:15 PM** (FREE, RSVP required, **mandatory** for Board Member’s each year, Staff Liaisons strongly encouraged to attend)

**Legislative Update / Open and Public Meetings Act  
Training** (LeGrand Bitter, UASD Executive Director)

- Legislative Update
- State Requirements of the Open and Public Meetings Act
  - Public Notice
  - Written Minutes
  - Closed Meetings
  - Electronic Meetings
  - Chance or Social Meetings
  - Electronic Message Transmission

**Session 3: 1:15 to 2:50 PM** (Required once for each term of a Board Member’s service, typically every 4 years, **preferably within one year of appointment**)

**General Board Member Training** (LeGrand Bitter)

- Board Governance (Legislative Auditor General Findings; Board Member Qualifications; Board Responsibilities)
- Ethics
- Nepotism
- Government Records Access and Management Act (GRAMA) Overview
- Board Personnel Policy
- Dealing with other Items of Importance

**WHERE: Grand Center, 182 North 500 West, Moab, (435) 259-6623**

**Affirmative RSVPs by 5PM Friday, June 3<sup>rd</sup>:**

Bryony Chamberlain

[bchamberlain@grandcountyutah.net](mailto:bchamberlain@grandcountyutah.net)

or (435) 259-1346

**AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**

MAY 17, 2016

Agenda Item: G

<b>TITLE:</b>	Approving Property Tax Deferrals
<b>FISCAL IMPACT:</b>	The impact, which is spread across all taxing entities, is to defer approximately \$2,200.00 to \$11,200.00 in delinquent property tax payments until Nov 30 <sup>th</sup> 2016.
<b>PRESENTER(S):</b>	Chris Kauffman, Grand County Treasurer

**Prepared By:**

Chris Kauffman  
 Grand County  
 Treasurer  
 435-259-1338  
 ckauffman@grandco  
 untuyutah.net

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**RECOMMENDATION:**

I move to approve the property tax deferrals as presented, and authorize the Chair to sign all associated documents.

**BACKGROUND:**

Each year the Treasurer is tasked with identifying all parcels with taxes that are 5 or more years delinquent. These parcels are eligible for tax sale which happens in May or June (2016 sale date is 5/26/2016). Auctioning property on the courthouse steps is a time consuming process and is not a desirable outcome for the taxpayer or the County. The Treasurer and the Clerk/Auditor make every effort to contact these taxpayers and encourage them to get the taxes paid in order to avoid the tax sale. In some circumstances, taxpayers are unable to pay all of the delinquent tax by the sale date. It is common practice in Grand County, and many other counties, to allow these taxpayers 6 more months to pay. In the past, this has been accomplished by having the taxpayer sign a contract with the Treasurer, agreeing to pay the delinquent tax by November 30<sup>th</sup>.

I believe that a more appropriate process is to have taxpayers apply for a deferment that is approved by the Council. State Code 59-2-1347 states that "If any interested person applies to the county legislative body for an adjustment or deferral of taxes levied against property assessed by the county assessor, a sum less than the full amount due may be accepted, or the full amount may be deferred, where, in the judgment of the county legislative body, the best human interests and the interests of the state and the county are served." It is important to note that interest still accumulates on deferred taxes. Also, if the taxes are not paid by November 30<sup>th</sup>, then 2016 taxes will also be owed in order to redeem the property and that parcel will not be eligible for the same deferment in 2017. If they have received a deferment in the previous year, a taxpayer would need to bring their case to the Council in person and provide evidence of their inability to pay.

Grand County has not sold a parcel at tax sale since 2004. In 2016, of the 17 parcels originally eligible for tax sale, all have been redeemed except for three. As of 5/11/2016, I have received two deferment applications (parcels 02-00016-0038 and 02-0007-0030) totaling approximately \$2,200.00 in delinquent taxes, penalty and interest. There is still one other parcel (02-0017-0120) eligible for tax sale. So, by the time of the sale there may be an additional application for deferment of approximately \$9,000.00 if the owner is unable to pay. Because this is the last Council meeting before the tax sale date, I am requesting pre-approval of a deferment on parcel 02-0017-0120, in addition to approval of the two existing applications. Approval of the deferment on parcel 02-0017-0120 would be contingent upon the receipt of a deferral application prior to the tax sale date.

If the Council does not approve the two existing applications, it will not be possible

to sell the properties at the 2016 tax sale because they have not been advertized for the statutory 4 weeks. When an application (or previously a contract) has been signed I have requested that the Clerk/Auditor remove that parcel from the tax sale list. I apologize for not bringing this change in procedure to the Council earlier in the year so that there would still be sufficient time to advertize the parcels. However, under State Code 59-2-1353 to 1358, the County could still foreclose on the properties and ask the court to approve a Sheriff's sale. Also, if the Council is uncomfortable with the current deferral process, a different one could be established for 2017.

**AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**

MAY 17, 2016

Agenda Item: H

<b>TITLE:</b>	Authorizing submission in 2016 of a match-required grant application to the Federal Lands Access Program (FLAP) for an alternative transportation project along the Colorado River, the Half-Mile Gap, for potential 2017 funding
<b>FISCAL IMPACT:</b>	Total project cost is \$6,844,000 and requires a 6.77% match of \$463,339. Match options are listed below
<b>PRESENTER(S):</b>	Kimberly Schappert, Executive Director, Moab Trails Alliance & Zacharia Levine, Community Development Director

**Prepared By:**

Kimberly Schappert  
 Executive Director  
 Moab Trails Alliance  
 210 East 300 South  
 Moab, UT 84532  
 260-8197

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**RECOMMENDATION:**

I move to authorize submission during 2016 of a Federal Lands Access Program grant application in the approximate total amount of \$6.8 million with the understanding that such grant application will require a one-time 2017 \$463,339 match, and authorize the Chair to sign all associated documents.

**BACKGROUND:**

The 1/2 mile gap along the Colorado Riverway Path is the last component in the North Moab Recreation Areas Alternative Transportation System to be completed. Currently, over 2000 cyclists and pedestrians use this facility per week on average, with peak weekends pushing the numbers much higher. This gap forces cyclists and pedestrians back onto a 2-lane shoulder-less road, creating unsafe conditions at the busy confluence of Granstaff campground, Negro Bill Canyon, the terminus of the Whole Enchilada mountain bike trail, and commuter, tourist, and outfitter traffic.

This project has full support from the National Park Service and BLM.

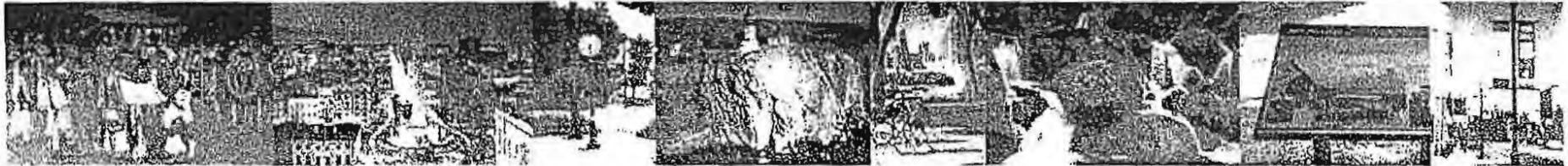
Possible 2017 combined funding sources include:

- Local Option Sales Tax Revenue
- TRT Revenue
- Transportation Special Service District
- Utah State Parks Recreational Trails Program
- Utah Legislature appropriation
- Way Point grant

**ATTACHMENT(S):**

1. FLAP Eligibility / and Call for Projects
2. Letters to Senate President Wayne Niederhauser (2014 and 2015, with cost estimates)
3. CIB List (excerpt)
4. North Moab Recreation Areas Alternative Transportation System Funding Sources
5. Email from NPS Community Planner
6. Resolution on local option sales and use tax

# Federal Lands Access Program



**Eligibility** – Funds made available under the Access Program shall be used to pay the cost of:

(A) transportation planning, research, engineering, preventive maintenance, rehabilitation, restoration, construction, and reconstruction of Federal Lands Access Transportation Facilities located on or adjacent to, or that provide access to, Federal land, and—

- (i) adjacent vehicular parking areas;
- (ii) acquisition of necessary scenic easements and scenic or historic sites;
- (iii) provisions for pedestrians and bicycles;

# Federal Lands Access Program



## Eligibility - cont.

- (iv) environmental mitigation in or adjacent to Federal land to improve public safety and reduce vehicle-caused wildlife mortality while maintaining habitat connectivity;
  - (v) construction and reconstruction of roadside rest areas, including sanitary and water facilities; and
  - (vi) other appropriate public road facilities, as determined by the Secretary;
- (B) operation and maintenance of transit facilities; and
- (C) any transportation project eligible for assistance under title 23 that is within or adjacent to, or that provides access to, Federal land.

**Utah**  
**Call for Projects is Open**  
FLH Division: CFLHD  
→ FLAP Funding Available\*: \$10,726,848.00  
→ Local Match %: 6.77%  
→ Final Application Deadline: June 10, 2016  
Call for Projects Contact: Morgan Malley  
Title: Transportation Planner  
Email: morgan.malley@dot.gov (mailto:morgan.malley@dot.gov)  
Phone: 720-963-3605  
For Additional Questions Contact: Chris Longley  
Additional Contact Title: FLAP Coordinator  
Additional Contact Email: christopher.longley@dot.gov (mailto:christopher.longley@dot.gov)

[View All Utah FLAP II](#)

(<https://maps.google.com/maps?ll=48.684871,-108&z=3&t=m&hl=en-US&gl=US&mapclient=apiv3>) Map data ©2016 Google, INEGI

■ Application Process Open   ■ Application Process Closed   ■ Process in Development   □ Other



**GRAND COUNTY COUNCIL MEMBERS**  
A. Lynn Jackson (Chair) · Elizabeth Tubbs (Vice Chair)  
Gene Ciarus · Ken Ballantyne · Pat Holyoak  
Jim Nyland · Rory Paxman

June 12, 2014

Senator Wayne Niederhauser  
Utah State Senate President  
P.O. Box 901136  
Sandy, Utah 84090-1136

Dear Senator Niederhauser:

It was a pleasure to meet you in person at our recent grand opening of the Lions Park Transit Hub and Colorado River Pathway. Thank you for taking time to speak in support of this amazing community asset and in support of the entire North Moab Recreation Area Alternative Transportation System.

Senator, we particularly appreciate that you spoke in support of funding options for the "donut hole" half-mile gap of the pathway along the river toward Negro Bill Canyon. Once the half-mile gap of the three-mile pathway is funded and constructed, a complete pathway will provide safety to all who utilize it, particularly for mountain bikers descending the famous Porcupine Rim singletrack onto State Highway 128 headed downriver toward the Transit Hub and town (a route you apparently are personally familiar with) and for hikers walking upriver from the Transit Hub to Negro Bill Canyon located just beyond the gap. Their safety, and the safety of all others who use the east section of the pathway, is compromised as soon as one section of the pathway ends since they must then enter the highway which is steep above the river, narrow and shoulderless... and with high traffic passing both directions.

Meanwhile, the counter, located at the west side of the pathway closer to the Transit Hub, indicates that use of the Colorado River Pathway continues to climb beyond our expectations, having surpassed 44,500 clicks in just over seven weeks. This is exciting and concerning at the same time. We are reaching out for funding support, as time is of the essence for safety reasons.

In closing, we thought you might be interested in the story that the *Moab Times-Independent* newspaper published about the grand opening; the article is enclosed. Thank you again, Senator, for all your support with this project and for speaking at our celebration.

Sincerely,

A handwritten signature in cursive script that reads "A. Lynn Jackson".

A. Lynn Jackson, Chair  
Grand County Council

Encl.



GRAND COUNTY COUNCIL MEMBERS  
Elizabeth Tubbs (Chair) · Chris Baird (Vice Chair)  
Ken Ballantyne · Jaylyn Hawks · A. Lynn Jackson  
Mary McGann · Rory Paxman

January 21, 2015

Senate President Wayne L. Niederhauser  
3182 E. Granite Woods Ln.  
Sandy, UT 84092

Dear Senate President Niederhauser:

As a follow up to the conversations of last May at the grand opening of the Lions Park Transit Hub and Colorado River Pathway, please accept this update. The path and hub have wildly exceeded expectations for visitation during the 2014 season. By October 15th, 5-1/2 months after the bike/pedestrian clicker counter was installed on the new pathway, 216,000 clicks, representing people from all over the state of Utah, foreign visitors, and local citizens, were counted with every demographic represented! A new recreational opportunity along the river corridor has opened and people are changing their lifestyles because of it. It was rewarding to note the first-time users who were there because of the safety afforded by the hub and trail.

As you noted during your visit, the half-mile gap, or "donut hole", between Negro Bill Canyon and the last causeway along SR-128, is an unfortunate reminder that the job is not finished. The Moab Trails Alliance and Grand County would like to work with you and the legislature to put together a package to fund this gap.

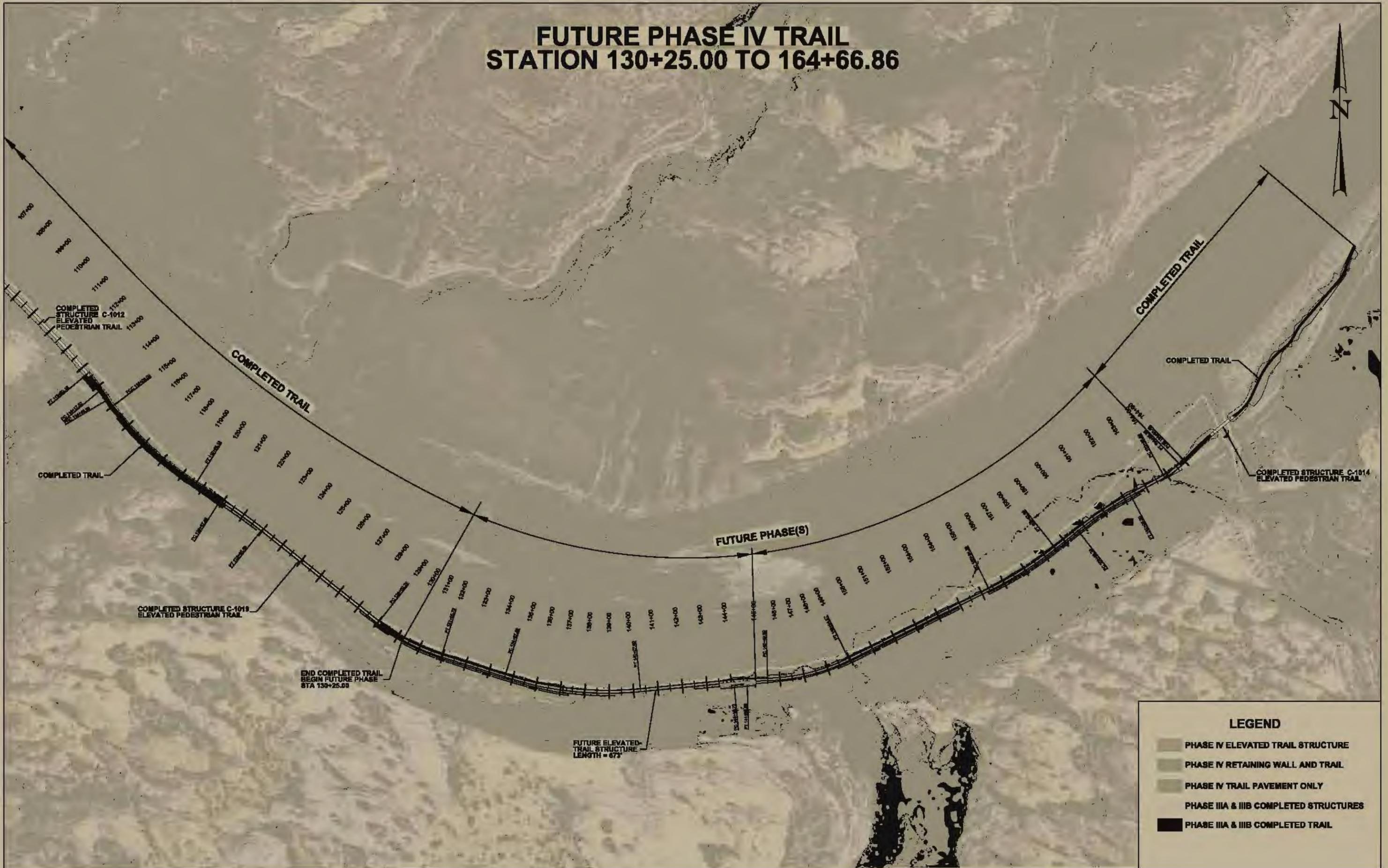
Please see the enclosed estimates provided by Horrocks Engineers, the County's engineer of record. Horrocks has worked with Grand County on each of our projects in the North Moab Recreation Area Alternative Transportation System and understands the unique environment of the Colorado River corridor. We are confident that they will provide the most practical and fiscally responsible solution for this last leg of pathway.

Thank you for your consideration,

  
Elizabeth A. Tubbs, Chair  
Grand County Council

Encl.

# FUTURE PHASE IV TRAIL STATION 130+25.00 TO 164+66.86



**LEGEND**

- PHASE IV ELEVATED TRAIL STRUCTURE
- PHASE IV RETAINING WALL AND TRAIL
- PHASE IV TRAIL PAVEMENT ONLY
- PHASE IIIA & IIIB COMPLETED STRUCTURES
- PHASE IIIA & IIIB COMPLETED TRAIL

**Pin: Project Name: Colorado River Pathway Concept Phase IV  
Cost Estimate Project Summary - Concept Level**

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

Project Length =	0.647	miles	3,417 ft
Current Year =	2013	2013 bid prices	
Assumed Construction Year =	2017		
Construction Items Inflation Factor =	1.30	4 yrs for inflation	
Assumed Yearly Inflation for Engineering Services (PE and CE) (%/yr) =	5.0%		
Assumed Yearly Inflation for Right of Way (%/yr) =	1.0%		
Contingency for Items not Estimated (% of Construction) =	20.0%		
Preliminary Engineering (% of Construction + Incentives) =	14.0%		
Construction Engineering (% of Construction + Incentives) =	10.0%		

Construction Funding Segments	Assumed Construction Year	Proposed Commission Request	COMMENTS
Segment 1: STA 130+25.00 TO STA 145+00.00	2017	\$4,334,000	
Segment 2: STA 145+00.00 TO STA 164+66.86	2017	\$2,510,000	
Total Proposed Commission Request to complete Concept Phase IV		\$6,844,000	

Pin: Project Name: Colorado River Pathway Concept Phase IV  
 Segment 1: STA 130+25.00 TO STA 145+00.00

Prepared By	Date
Project Length =	0.275 miles 1,450 ft
Current Year =	2013
Assumed Construction Year =	2017
Construction Items Inflation Factor =	1.30 4 yrs for inflation
Assumed Yearly Inflation for Engineering Services (PE and CE) (%/yr) =	5.0%
Assumed Yearly Inflation for Right of Way (%/yr) =	1.0%
Contingency for Items not Estimated (% of Construction) =	20.0%
Preliminary Engineering (% of Construction + Incentives) =	14.0%
Construction Engineering (% of Construction + Incentives) =	10.0%

Item #	Item	Unit	Quantity	Unit Price	Cost	Remarks
<b>Segment 1: STA 130+25.00 TO STA 145+00.00</b>						
012850010	Mobilization	Lump	1	\$251,763.21	\$251,763	10% of construction
013150010	Public Information Services	Lump	1	\$5,000.00	\$5,000	
015540005	Traffic Control	Lump	1	\$125,881.60	\$125,882	5% of construction
022310020	Clearing and Grubbing (Plan Quantity)	acre	2	\$1,300.00	\$1,950	
023160020	Roadway Excavation (Plan Quantity)	cu yd	3,750	\$12.00	\$45,000	
027210020	Untreated Base Course (Plan Quantity)	cu yd	186	\$32.00	\$5,952	
027410060	HMA - 3/4 Inch	ton	105	\$98.00	\$10,290	
027430040	HMA - Bike/Ped Path 1/2 Inch	ton	165	\$154.00	\$25,410	
027480010	Liquid Asphalt MC-70 or MC-250	ton	2	\$1,035.00	\$2,070	
027850020	Chip Seal Coat, Type II	sq yd	3,555	\$2.55	\$9,065	Price includes Emulsified Asphalt
02826002*	Ornamental Fence 54 Inch Tall	ft	869	\$150.00	\$130,350	
028410087	W-Beam Guardrail 84 inch Steel Post	ft	300	\$29.00	\$8,700	
028430035	Crash Cushion Type G	each	2	\$3,150.00	\$6,300	
02378001*	Rockery	sq ft	450	\$30.00	\$13,500	
	Structures - Future Elevated Pedestrian Trail	ft	673	\$1,600.00	\$1,076,800	
02840002*	MSE Retaining Wall H (designed) (130+25 to 134+50)	sq ft	2,902	\$55.00	\$159,610	
02840003*	Future MSE Retaining Wall C (1304+50 to 137+25)	sq ft	3,035	\$55.00	\$166,925	Continuation of previous Wall H
02840004*	Future MSE Retaining Wall D	sq ft	872	\$55.00	\$47,960	
028910000	Signing	lump	1	\$2,500.00	\$2,500	
027650050	Pavement Marking Paint	gal	50	\$60.00	\$3,000	
(Segment 1: STA 130+25.00 TO STA 145+00.00) Subtotal					\$2,098,027	
Contingency For Items Not Estimated (20%)					\$419,605	
Construction Subtotal					\$2,517,632	
P.E. Cost				P.E. Subtotal	\$352,000	14%
C.E. Cost				C.E. Subtotal	\$252,000	10%
Right of Way				Right of Way Subtotal	\$0	
Utilities				Utilities Subtotal	\$0	
Incentives				Incentives Subtotal	\$0	
Miscellaneous				Miscellaneous Subtotal	\$0	

Cost Estimate	2013	2017
P.E.	\$352,000	\$428,000
Right of Way	\$0	\$0
Utilities	\$0	\$0
Construction	\$2,518,000	\$3,273,000
C.E.	\$252,000	\$306,000
Incentives	\$0	\$0
Aesthetics	0%	\$0
Change Order Contingency	10%	\$251,800
UDOT Oversight	0%	\$0
Miscellaneous	\$0	\$0
<b>TOTAL</b>	<b>\$3,373,800</b>	<b>\$4,334,000</b>

PROPOSED COMMISSION REQUEST	TOTAL	TOTAL
	\$3,373,800	\$4,334,000

Pin: Project Name: Colorado River Pathway Concept Phase IV  
 Segment 2: STA 145+00.00 TO STA 164+66.86

Prepared By	Date
Project Length =	0.373 miles 1,967 ft
Current Year =	2013
Assumed Construction Year =	2017
Construction Items Inflation Factor =	1.30 4 yrs for inflation
Assumed Yearly Inflation for Engineering Services (PE and CE) (%/yr) =	5.0%
Assumed Yearly Inflation for Right of Way (%/yr) =	1.0%
Contingency for Items not Estimated (% of Construction) =	20.0%
Preliminary Engineering (% of Construction + Incentives) =	14.0%
Construction Engineering (% of Construction + Incentives) =	10.0%

Item #	Item	Unit	Quantity	Unit Price	Cost	Remarks
<b>Segment 2: STA 145+00.00 TO STA 164+66.86</b>						
012850010	Mobilization	Lump	1	\$145,836.38	\$145,836	10% of construction
013150010	Public Information Services	Lump	1	\$2,500.00	\$2,500	
015540005	Traffic Control	Lump	1	\$72,918.19	\$72,918	5% of construction
022310020	Clearing and Grubbing (Plan Quantity)	acre	2	\$1,300.00	\$1,950	
023160020	Roadway Excavation (Plan Quantity)	cu yd	8,300	\$12.00	\$99,600	
027210020	Untreated Base Course (Plan Quantity)	cu yd	670	\$32.00	\$21,440	
027410060	HMA - 3/4 Inch	ton	320	\$98.00	\$31,360	
027430040	HMA - Bike/Ped Path 1/2 Inch	ton	317	\$154.00	\$48,818	
027480010	Liquid Asphalt MC-70 or MC-250	ton	8	\$1,035.00	\$8,280	
027850020	Chip Seal Coat, Type II	sq yd	5,394	\$2.55	\$13,755	Price includes Emulsified Asphalt
02826002*	Ornamental Fence 54 Inch Tall	ft	1,280	\$150.00	\$192,000	
	Culvert Reconstruction	each	5	\$8,000.00	\$30,000	
02840005*	Future MSE Retaining Wall E	sq ft	3,336	\$55.00	\$183,480	
02840006*	Future MSE Retaining Wall F	sq ft	6,503	\$55.00	\$357,665	
028910000	Signing	lump	1	\$1,500.00	\$1,500	
027650050	Pavement Marking Paint	gal	70	\$60.00	\$4,200	
(Segment 2: STA 145+00.00 TO STA 164+66.86) Subtotal					\$1,215,303	
Contingency For Items Not Estimated (20%)					\$243,061	
<b>Construction Subtotal</b>					<b>\$1,458,364</b>	
P.E. Cost					P.E. Subtotal	\$204,000 14%
C.E. Cost					C.E. Subtotal	\$146,000 10%
Right of Way					Right of Way Subtotal	\$0
Utilities					Utilities Subtotal	\$0
Incentives					Incentives Subtotal	\$0
Miscellaneous					Miscellaneous Subtotal	\$0

Cost Estimate		2013	2017
P.E.		\$204,000	\$248,000
Right of Way		\$0	\$0
Utilities		\$0	\$0
Construction		\$1,458,000	\$1,895,000
C.E.		\$146,000	\$177,000
Incentives		\$0	\$0
Aesthetics	0%	\$0	\$0
Change Order Contingency	10%	\$145,800	\$190,000
UDOT Oversight	0%	\$0	\$0
Miscellaneous		\$0	\$0
<b>TOTAL</b>		<b>\$1,953,800</b>	<b>\$2,510,000</b>

<b>PROPOSED COMMISSION REQUEST</b>	<b>TOTAL</b>	<b>\$1,953,800</b>	<b>TOTAL</b>	<b>\$2,510,000</b>
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PERMANENT COMMUNITY IMPACT FUND BOARD (CIB) – GRAND COUNTY CAPITAL IMPROVEMENT PROJECT LIST FOR STATE FY2017

Prioritized and Approved by Grand County Council 2-2-2016

GRAND COUNTY: SHORT TERM – 2016-2017 / MEDIUM TERM 2018-2022										
Applicant Priority	County Priority	Entity	Project Description	Estimated Total Cost	Revenue		Request		Application Submission Date	Revenue Source for Loan Payoff
					Sources	Shares	Grant	Loan		
A	B	Grand County for Road Dept.	Re-Alignment Improvements to Spanish Valley Drive and Millcreek Drive Intersection (including Storm Drainage)	\$1,500,000	Local Impact Fees	TBD	TBD		2017	
					CIB	TBD				
A		City of Moab	Water Tank	\$1,500,000	Division of Drinking Water	\$1,000,000	\$500,000 (grant/loan)		2016	
					City Impact Fees	\$500,000				
					CIB	\$500,000				
A	B	Grand County	Half-Mile Gap of Colorado River Pathway (Phase A, paved path & high retaining wall)	\$2,510,000	Local	TBD	TBD		2016	
					CIB	TBD				
A	B	Grand County	Half-Mile Gap of Colorado River Pathway (Phase B, elevated paved path/bridge)	\$4,334,000	CIB	TBD	TBD		TBD	

**NORTH MOAB RECREATION AREAS ALTERNATIVE TRANSPORTATION SYSTEM**

(NMRA ATS)

**SEGMENT SUMMARY - FUNDING SOURCES**

6/12/16

**TRAIL HUBS AND RIVER BRIDGE**

**COLORADO RIVERWAY NON-MOTORIZED BRIDGE**

TRANSPORTATION ENHANCEMENT	\$2,780,000.00
ST BKS & REC (INCLUDES \$20K FROM MOAB CANYON)	\$191,328.00
GRAND COUNTY IMPACT FEES	\$62,898.00
GRAND COUNTY REC DISTRICT 2005, 2007	\$90,000.00
TRAIL MIX	\$10,000.00
BIKES BELONG	\$7,000.00
IN-HOUSE ENGINEERING (PD BY GC)	\$19,102.00
HORNLOCKS SETTLEMENT	\$300,000.00
BLM (IN-KIND)	\$20,000.00
UDOT REGION 4 CONTINGENCY	\$30,000.00
PRIVATE DONATIONS	\$109,672.00
UTAH STATE TRANS FUND	\$120,000.00
<b>TOTAL</b>	<b>\$3,740,000.00</b>
<i>STATUS: COMPLETED 2008</i>	

**ARCHES NATIONAL PARK TRANSIT HUB**

PART OF NEW VISITOR CENTER	34,000
<i>STATUS: COMPLETED 2005</i>	

**LIONS PARK TRANSIT HUB**

ALTERNATIVE TRANS IN PARKS & PUBLIC LANDS 2	774,000
<i>STATUS: COMPLETED MARCH 2014</i>	

**LIONS PARK SCENIC BYWAYS TRAIL HUB**

CONNECTING PARKS TO TRAILS 2010 (DESIGN)	\$99,000.00
BLM IN-KIND ENVIRONMENTAL	\$15,000.00
BLM IN-KIND ASSISTANCE	\$12,000.00
TRANSPORTATION ENHANCEMENT	\$500,000.00
CONNECTING PARKS TO TRAILS 2011 (INTERP)	\$99,000.00
OFFSITE SEWER AND WATER (TRANSIT HUB)	\$144,432.00
MOAB CITY	\$366,718.00
NATIONAL SCENIC BYWAYS 2011	\$963,674.00
<b>TOTAL</b>	<b>\$2,200,024.00</b>
<i>STATUS: COMPLETED MARCH 2010</i>	

**COLORADO RIVERWAY NON-MOTORIZED PATHWAY**

**PHASE 1 GOOSE ISLAND**

TRANSPORTATION ENHANCEMENT	\$616,000.00
STATE PARKS AND RECREATION	\$103,000.00
GRAND COUNTY REC DISTRICT 2006	\$50,000.00
GRAND COUNTY IN-KIND ENGINEERING	\$13,000.00
BIKES BELONG	\$5,000.00
BLM IN-KIND (ENVIRONMENTAL FOR 128 PATHWAY)	\$23,377.00
PRIVATE DONATIONS	\$34,000.00
<b>TOTAL</b>	<b>\$844,377.00</b>
<i>STATUS: COMPLETED 2008</i>	

**PHASE 2&3**

PAUL S SARBANES TRIPP 2008	\$1,000,000.00
PAUL S SARBANES TRIPP 2010	\$2,980,000.00
PAUL S SARBANES TRIPP 2011	\$2,500,000.00
UDOT ROADWAY ENHANCEMENT	\$368,224.00
PAUL S SARBANES TRIPP 2012	\$900,000.00
<b>TOTAL</b>	<b>\$9,068,224.00</b>
<i>STATUS: COMPLETED 2014</i>	

**PHASE 4**

→ REMAINING GAP ON PATHWAY	\$6,844,000.00
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PROJECT SEGMENT COMPLETE  
 PROJECT SEGMENT UNDER CONSTRUCTION  
 PROJECT SEGMENT FUNDS IN PLACE  
 FUNDS NEEDED TO COMPLETE PROJECT SEGMENT

FUNDS COLLECTED TO DATE	\$19,875,625.00
→ FUNDS NEEDED TO COMPLETE NMRA	\$6,844,000.00
→ TOTAL PROJECT VALUE	\$26,719,625.00

**MOAB CANYON PATHWAY SYSTEM**

**US 191 UNDERPASS AND TRAIL AT GEMINI BRIDGES**

UDOT	\$350,000.00
<i>STATUS: COMPLETED OCTOBER 2004</i>	

**COURTHOUSE WASH TO SR 313**

TRANSPORTATION ENHANCEMENT	\$316,000.00
TRANSPORTATION ENHANCEMENT	\$800,000.00
STATE PARKS AND REC	\$200,000.00
GRAND COUNTY	\$31,000.00
BIKES BELONG	\$5,000.00
TRCC FUNDS	\$20,000.00
GC TRANS SPEC SERV DISTRICT	\$23,000.00
<b>TOTAL</b>	<b>\$1,395,000.00</b>
<i>STATUS: COMPLETED OCTOBER 2010</i>	

**US 191 CAR BRIDGE AUXILIARY UNDERPASSES**

CENTENNIAL HWY FUNDS (UDOT)	\$500,000.00
<i>STATUS: COMPLETED MARCH 2011</i>	

**MOAB CITY TO LIONS PARK HUBS CONNECTOR PATHWAY**

TRANSPORTATION ENHANCEMENT	\$500,000.00
LEFTOVER FROM MOAB CANYON	\$46,000.00
MOAB & GR CTY DESIGN WORK CRED	\$18,766.00
CONNECTING TRAILS TO PARKS	\$35,234.00
GC REC DISTRICT 2010	\$20,000.00
<b>TOTAL</b>	<b>\$620,000.00</b>
<i>STATUS: COMPLETED AUGUST 2012</i>	

**US191 UNDERPASS AT COURTHOUSE WASH  
 (MILLSITE RIVERSIDE TRAIL CONNECTOR)**

TRANSPORTATION ENHANCEMENT	\$40,000.00
GRAND COUNTY MATCH	\$10,000.00
DOE	\$50,000.00
<b>TOTAL</b>	<b>\$100,000.00</b>
<i>STATUS: COMPLETED AUGUST 2012</i>	

## Ruth Dillon

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**From:** Ruth Dillon  
**Sent:** Thursday, March 31, 2016 6:12 PM  
**To:** Zacharia Levine  
**Cc:** Kim Schappert; 'Cannon, Catherine'; Dave Dillman; Bill Jackson; Marcy DeMillion  
**Subject:** FW: Colorado River Pathway Phase IV cost estimate- possible funding source

**Importance:** High

Zacharia,

This sounds like an exciting funding possibility! I just spoke with Dave D about this. It sounds as though having this "half-mile gap" funding on a federal agency's priority list such as the NPS will push it "way high" with FLAP's priorities, to use Dave's words, if someone were to apply for it. Thank you, Kate, for thinking of this project as a possibility for funding!

Meanwhile, you may know that the City is already working towards a FLAP application (they're in the process of getting a conceptual design done for FLAP estimates) for Kane Creek Blvd at the Main Street intersection down to 5<sup>th</sup> West. Bill J tells me that Phillip has been in communication with him about this since the Transportation District may also seek FLAP funding for Kane Creek rehabbing down to where the pavement ends (at a 6% match provided by the District).

My point (and Dave's point actually) is that we would need to strategize and prioritize on these various potential FLAP funding applications assuming the half-mile gap actually qualifies and makes it to the priority list... and/or depending on the viability of the TIGER grant mentioned in Marcy's email below.

Zacharia, please check into the TIGER grant as a possible funding source for the half-mile gap.

I'm copying all involved for clarification and input (except that I don't have Phillip's email).

I'm sure the Park Service will keep us posted...

Thank you,  
Ruth

**From:** DeMillion, Marcy [mailto:marcy\_demillion@nps.gov]  
**Sent:** Thursday, March 31, 2016 10:32 AM  
**To:** Dave Dillman  
**Cc:** kate\_cannon@nps.gov (kate\_cannon@nps.gov); Ruth Dillon; Kimberly Schappert (kschappe@me.com); Zacharia Levine  
**Subject:** Re: Colorado River Pathway Phase IV cost estimate

Dave,

Thanks for the information and phone call. The NPS realizes that FLAP grant proposals are not due for a few months, but we wanted to show the project on the NPS supported project list (which is due today) if the County or other partners may peruse a FLAP application.

Kate Cannon will add this project to the NPS list of FLAP supported projects if they feel it qualifies. If it does then Kim, you, County and others would pursue the grant. Kim is out of town and out of cell phone communication, but when I touched base with her she mentioned she would be involved in discussing the grant. If the partners don't end up pursuing the grant there is no harm in showing it on the NPS supported project list. I won't have any further involvement if folks want to pursue the grant.

This funding source is what paid for the Red Canyon trail system located outside Bryce Canyon that multiple partners worked on for over a decade and it had strong support from the NPS. It seems like FLAP funding could help pay for costly trail gaps like the one located along Highway 191. Another possible source of funding is through a TIGER grant, as the RFP is out now. That maybe something partners want to consider as well.

Marcy

Marcy DeMillion  
Community Planner  
National Park Service  
Rivers, Trails, and Conservation Assistance Program  
324 South State Street, Suite #200  
Salt Lake City, UT, 84111  
(801) 741-1012, ext. 125

On Thu, Mar 31, 2016 at 9:53 AM, Dave Dillman <[Dave@horrocks.com](mailto:Dave@horrocks.com)> wrote:

Marcy, Attached is the cost estimate and figure for the remainder of the Colorado River Pathway. The cost estimate was set up for construction in 2017. If this funding source moves forward some additional inflation may need to be added for construction in 2019 or 2020.

Let me know if you would like me adjust the numbers.

**David H. Dillman, P.E. , Principal**  
HORROCKS ENGINEERS

2162 W. Grove Parkway, Suite 400 | Pleasant Grove, Utah 84062  
**Work** 801 763 5142 | **Fax** 801 763 5101 | **Mobile** 801 376 7330  
**Email** [dave@horrocks.com](mailto:dave@horrocks.com) [www.horrocks.com](http://www.horrocks.com)

**RESOLUTION NO 3055**

**A RESOLUTION OF THE GRAND COUNTY COUNCIL AMENDING RESOLUTION NO. 3048 PROVIDING FOR AN OPINION QUESTION TO BE INCLUDED ON THE BALLOT FOR THE NOVEMBER 3, 2015 GENERAL ELECTION FOR THE PURPOSE OF AUTHORIZATION OF THE IMPOSITION OF A LOCAL SALES AND USE TAX OF ONE QUARTER OF ONE PERCENT (.25% the equivalent of 1 cent for every \$4 spent) TO TRANSPORTATION IMPROVEMENTS SUCH AS ROADS, SIDEWALKS, TRAILS, MAINTENANCE, AND SAFETY FEATURES IN GRAND COUNTY**

**WHEREAS**, Section 59-12, Utah Code Annotated, requires the Grand County Council to publish a Notice of Election regarding an Opinion Question for the purpose of authorization of the imposition of a local sales and use tax of one quarter of one percent (.25% the equivalent of 1 cent for every \$4 spent) to fund motorized and non-motorized transportation projects, corridor preservation, congestion mitigation, or to expand capacity for regionally significant transportation facilities in Grand County; and

**WHEREAS**, the Opinion Question must be submitted in the **November 3**, 2015 General Election held in Grand County and the election officials serving for the other election may also serve as election officials for the Opinion Question; and

**WHEREAS**, the Grand County Council has a duty to prescribe the form of the ballot and various other forms and General Election procedures;

**NOW, THEREFORE**, the Grand County Council resolves as follows:

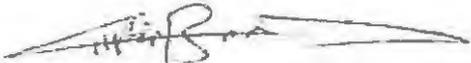
**AN OPINION QUESTION TO PROVIDE FUNDING FOR TRANSPORTATION IMPROVEMENTS SUCH AS ROADS, SIDEWALKS, TRAILS, MAINTENANCE, AND SAFETY FEATURES**

Shall Grand County, Utah, be authorized to impose a quarter-of-one-percent (0.25%, the equivalent of 1 cent for every \$4 spent) sales and use tax for the specific purpose of transportation improvements, such as roads, trails, sidewalks, maintenance, and traffic and pedestrian safety features, with revenues divided among the county, cities and towns, within the County?

END OF NOTICE

1. The Grand County Council hereby directs the Grand County Clerk and all other appropriate officers and employees of the County to take all actions necessary and appropriate to conduct the General Election specified herein and that the General Election be conducted in accordance with State law as to voting, registration, challenges to voters, judges, ballot forms, sample ballots, absentee voting, canvass, notice of results, and all other election procedures.
2. The ballot page layout shall be in a form prescribed by law and similar to that attached as Exhibit A.
3. The Resolution shall take effect without publication immediately upon its adoption by the Board and the Grand County Clerk is hereby directed to publish the Election Notice.

DATED this 1ST day of September, 2015.

  
\_\_\_\_\_  
Grand County Council Chair  
Vice

ATTEST:

  
\_\_\_\_\_  
Grand County Clerk/Auditor

EXHIBIT A

**AN OPINION QUESTION TO PROVIDE FUNDING FOR TRANSPORTATION IMPROVEMENTS  
SUCH AS ROADS, SIDEWALKS, TRAILS, MAINTENANCE, AND SAFETY FEATURES**

Shall Grand County, Utah, be authorized to impose a quarter-of-one-percent (0.25%, the equivalent of 1 cent for every \$4 spent) sales and use tax for the specific purpose of transportation improvements, such as roads, trails, sidewalks, maintenance, and traffic and pedestrian safety features, with revenues divided among the county, cities and towns, within the County?

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
MAY 17, 2016**

Agenda Item: I

<b>TITLE:</b>	Adopting proposed Ordinance approving the “Arroyo Crossing Rezone and Master Plan,” a rezone from Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), such property located at 2022 Spanish Valley Drive, Moab, Utah (North of Resource Blvd), postponed from February 2, 2016
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:**

**GRAND COUNTY  
COMMUNITY  
DEVELOPMENT**

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**COUNTY COUNCIL REVIEW**

The County Council held a public hearing on January 19, 2016. As per the Council’s policy, the public hearing closed on January 27, 2016. As per the applicant’s request, Council postponed indefinitely a vote on the rezone and master plan until an agreement could be reached regarding affordable housing.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the rezone, and approval with conditions of the master plan concept.

**STAFF RECOMMENDATION:** Approval of the rezone, and approval with conditions of the master plan concept.

**STATED MOTION:**

Move to adopt the proposed Ordinance approving the rezone of the subject property from Large Lot Residential (LLR) to Multifamily Residential (MFR)-8, and approve the Arroyo Crossing Master Plan subject to the following:

1. The master plan is a conceptual plan and shall be recorded and filed in conjunction with this Ordinance.
2. The development agreement outlining an affordable housing set-aside shall be recorded and filed in conjunction with this Ordinance.
3. Vested rights as to configuration shall occur at the time of preliminary plat approval when,
4. The application is in conformance with the policies, intents, and requirements of the LUC and General Plan.

**BACKGROUND:**

See Staff Report and DRAFT Ordinance

**Attachment(s):**

Draft Ordinance; Staff Report; Master Plan; Letter from Mike Kaeske (property owner); Draft development agreement

**DRAFT**  
**GRAND COUNTY, UTAH**  
**ORDINANCE \_\_\_\_\_ 2016**

**AN ORDINANCE APPROVING THE  
"ARROYO CROSSING REZONE AND MASTER PLAN",  
A REZONE FROM LARGE LOT RESIDENTIAL TO MULTI-FAMILY 8.**

**WHEREAS**, Red Acre, LLC, (Applicant) is the owner of record of approximately 28.33 acres of real property within NW ¼ NW ¼ Section 17, T26S, R22E (SLM) Grand County, Utah, more specifically described as follows:

*BEGINNING AT THE NW CORNER OF THE NE1/4 OF SE1/4 OF SECTION 17, T26S, R22E, SLM, THE NW CORNER OF LOT 2 OF THE CLARK MINOR SUBDIVISION, AND PROCEEDING THENCE WITH THE NORTH LINE OF LOT 2 OF THE CLARK MINOR SUBDIVISION N 89°11'08" E 479.50 FT. TO THE CENTERLINE OF SPANISH VALLEY DRIVE, THENCE WITH SAID CENTERLINE ALONG THE ARC OF A 920.25 FT. RADIUS CURVE TO THE RIGHT 327.79 FT. (SAID CURVE HAS A CHORD WHICH BEARS S 40°52'09"E 326.06 FT.), THENCE WITH SAID CENTERLINE S 30°39'54" E 1232.15 FT. TO THE EAST LINE OF SAID SECTION 17 AND THE EAST LINE OF SAID LOT 2, THENCE WITH SAID LINE S 00°02'00" W 7.94 FT. TO THE SE CORNER OF SAID LOT 2, THENCE S 89°21'03" W 1322.66 FT. TO THE SW CORNER OF SAID LOT 2, THENCE WITH THE WEST LINE OF SAID LOT N 00°03'31"E 1322.53 FT. TO THE POINT OF BEGINNING AND CONTAINING 28.33 ACRES MORE OR LESS.*

**WHEREAS**, Council adopted the Grand County General Plan (General Plan) by Resolution 2301 on August 5, 1996 and amended by Resolution 2976 on February 7 2012;

**WHEREAS**, the Grand County Land Use Code was adopted by the Grand County Council on January 4, 1999 with Ordinance No. 299, Series 1999, and codified with Resolution 468 on April 15, 2008 and as amended to date, for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, the subject property is located within MFR overlay map as identified in the LUC;

**WHEREAS**, the Applicant seeks to rezone the subject property from Large Lot Residential (LLR), to Multi-Family Residential 8 (MFR-8) as identified in the LUC;

**WHEREAS**, the purpose of the MFR district is to promote infill development and affordable housing and identify appropriate locations for medium to high-density residential neighborhoods;

**WHEREAS**, the Applicant has voluntarily committed to designating 20 percent (20%) of the proposed dwelling units identified in the master plan as deed restricted affordable housing;

**WHEREAS**, the General Plan supports, "rezoning to multi-family residential, (MFR) within the MFR overlay and in Rural Centers when there is an affordable component in a proposed project" (General Plan Chapter 3: Vision, Goals, and Strategies, Development Patterns);

**WHEREAS**, the Grand County Planning Commission reviewed the application in a public hearing on December 9, 2015 and voted to recommend approval of the proposed rezone, finding the application in conformance with the policies, intents, and requirements of the LUC and General Plan;

**WHEREAS**, due notice was given that Council would meet to hear and consider the proposed rezone in a public hearing on January 19, 2016;

**WHEREAS**, the Council has heard and considered all evidence and testimony presented with respect to the proposed rezone and has determined that the approval of the rezone and adoption of this Ordinance is in the best interests of the citizens of Grand County, Utah.

**NOW, THEREFORE, BE IT ORDAINED** by the Grand County Council that it does hereby approve a rezone of the subject property from LLR to MFR-8, conceptual master plan (attached hereto as Exhibit A), and development agreement (attached hereto as Development Agreement Establishing an Affordable Housing Set-aside Within the Arroyo Crossing Subdivision) as follows:

1. The master plan is a conceptual plan. It is approved secondarily to the rezone request through administrative action, and shall be recorded and filed in conjunction with this Ordinance as Exhibit A,
2. The development agreement is submitted voluntarily by the Applicant. It is approved in association with the master plan, and shall be recorded and filed in conjunction with this Ordinance,
3. Vested rights as to configuration shall occur at the time of preliminary plat review when,
4. The application is in conformance with the policies, intents, and requirements of the LUC and General Plan.

**APPROVED** by the Grand County Council in open session this \_\_\_\_ day of January, 2016, by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Absent:* \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

\_\_\_\_\_  
Elizabeth Tubbs, Chair



## S T A F F   R E P O R T

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**MEETING DATE:** May 17, 2016 – Public Hearing  
**TO:** Grand County Council  
**FROM:** Planning Staff  
**SUBJECT:** **MFR-8 rezone and master plan (Arroyo Crossing)**

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### **PLANNING COMMISSION RECOMMENDATION**

The Grand County Planning Commission reviewed the referenced application in a public hearing on December 9, 2015 and voted to forward a favorable recommendation of the rezone and approval, with conditions of the master plan concept.

The decision to rezone is both a discretionary and a legislative action. When making a motion and stating reasons for the vote on the motion (*for or against*) the Council should reference findings for Sec. 9.2.7 of the Land Use Code, Issues for Consideration, and consistency with the Future Land Use Plan.

Several possible courses of action the Council may elect to follow:

1. The Council may vote for the motion to rezone (*aye*), stating reasons for their vote (if desired).
2. The Council may vote against the motion to rezone (*nay*), stating reasons for their vote (if desired).
3. The Council may table the application for additional comment and review.

### **STAFF RECOMMENDATION**

Staff recommends approval of the Arroyo Crossing rezone application, and secondarily to approve the Arroyo Crossing master plan with conditions as recommended by the Planning Commission. Approval of the rezone shall not be recorded until the development agreement outlining an affordable housing set-aside is executed.

### **BACKGROUND**

#### ***Introduction***

This application is submitted by Tom Shellenberger, on behalf of the property owner, Michael Kaeske, President of Red Acre, LLC (Applicant) for 38.95 acres of vacant land zoned Large Lot Residential (LLR).

The applicant proposes a mix of housing types, price points, and rental level, with an expressed desire to provide middle-income housing following the recommendations of the Grand County and City of Moab Affordable Housing Plan. To this end, the Applicant has voluntarily approved of a development agreement detailing a 20% affordable housing set-aside. The development agreement has been reviewed and approved by the County Attorney. The Applicant plans to utilize secondary water systems, and reduce energy demands by incorporating solar energy systems. It is known that a traffic study is needed and the Applicant intends to mitigate the increased traffic. The Applicant is aware that significant on-site and off-site upgrades are needed to the water and sewer systems and will be responsible for covering their share of associated costs. GWWSA and the City of Moab shall continue to be involved in evaluating system-wide impacts of the development and resulting necessary “downstream” improvements.

#### ***Multi-family Residential Rezone***

The subject application seeks rezone and master plan approval. The Applicant seeks a rezone to Multifamily Residential - 8 (MFR-8). The subject parcel is included within the MFR overlay district, which was adopted by the County in 2005. The purpose of the MFR district is to provide locations where medium to high density residential neighborhoods may be established. The MFR district is intended to promote infill development and affordable housing. A rezone is a legislative act recorded by ordinance. A rezone to the MFR district requires a master plan to be recorded and filed as part of the ordinance. Rezoning is a legislative act (i.e. the *creation of law*) whereas master plan approval is an administrative act (i.e. the *application of law*).

**Density**

All development in the MFR district is subject to the lot design standards of Article 5. The Applicant proposes a conventional subdivision (Sec. 4.4.8 LUC) with a maximum density of 220 units, including: 98 single family units, 60 apartment units, and 62 townhouse units. MFR zone district subdivisions must provide a minimum of 20 percent open space. The Applicant has proposed 24% open space as part of the proposed master plan. The open space will include trails and drainage areas. The applicant is proposing to meet the housing needs of moderate income households and to continue working together with staff to identify market needs and previously untapped financial resources.

**Proposed Rezone:**

Zone District	Project Acreage	Max Density per Acre	Max Allowed Density	Proposed Density	Affordable Housing	Open Space
Current LLR (Conventional)	38.95	2	77.90		0	0
MFR-8 Conventional	28.33	8	226.64	220	0	9.5 acres = 24% of total
LLR – zone (portion of property lying outside the MFR overlay, and ineligible for the rezone)	10.36	2	20.72		0	Not required

**City of Moab Annexation Area**

The subject property is not located within the City of Moab’s *Annexation Plan Policy Map*, although a courtesy notice will be provided to the City. Sewer services will be provided by GWSSA, but all collections will be conveyed to the City of Moab’s infrastructure, eventually reaching the plant owned and operated by the City.

**APPLICABLE LUC Regulations**

**Multi-Family Residential District** (*staff comments in italics*)

**2.6.2 Master Plan Requirements:**

The County Council shall require a master plan of the development. The master plan shall be approved and filed with the ordinance. The master plan shall establish the following:

- A narrative addressing the proposed development explaining and tabulating land uses by net acre, *Complete on Master Plan*
- Number of dwelling units by housing type. *Done*
- Maximum building coverage by housing type. *Done*
- Residential density. *Done*
- Common area acreage. *Done*

- Potential traffic generation. *Incomplete: Staff requests the applicant provide a copy of referenced traffic study as required by the Spanish Valley Transportation Plan – may be addressed at Preliminary Plat.*
- Overall character and architectural style. *Incomplete: no renderings of buildings types are provided – may be addressed at Preliminary Plat.*
- Relationship of proposed development to existing development in the area. *Incomplete: project boundary buffer (Sec. 5.4.B) needs to be addressed, and height of apartment buildings will dictate setbacks – may be addressed at Preliminary Plat.*
- Other related development features. *Done*

**A.** A site plan prepared in accordance with the requirements of Sec. 9.17 shall be approved and filed with the findings of fact as part of the approval; including but not limited to, major roads, major utilities, existing and proposed land uses, entrance locations on existing roads, common area, landscaping plan and a conceptual drainage plan. *A site plan is provided with limited information. No type and layout of water and sewage treatment has been provided.*

**B.** Lot design standards to be applicable within the proposed development. *Done*

**C.** Identification of site planning features designed to ensure compatibility between on-site residential and nonresidential uses, and with the surrounding neighborhood and land uses. *Sec. 6.10.1 D Building Heights - No structure shall exceed 28 feet in height within 150 ft. of a lot line of a property that is in a protected zone district pursuant to Sec. 6.10.1A (residential zones). The apartment houses need to meet this requirement. Project boundary buffer needs to be addressed – a note on the master plan acknowledges the requirement to meet buffer requirements as part of the preliminary plat approval.*

**D.** Other relevant information as may be requested by the Planning Staff. *Staff has initiated a conversation regarding deed-restriction of a portion of the properties. No affordable housing bonus densities are requested, so deed-restriction would be voluntary pending changes to the LUC.*

**District Standard** – *(County Council can approve a PUD modification of this requirement)*

- A. Multi-family structures shall be located no closer than 20 feet from any other structures.
- B. The front of any structure shall not be located less than 25 feet from another structure or lot line.

**General Development Standards** *(will be addressed at Preliminary Plat process)*

**Sec. 6.1 Off-Street Parking**

Prior to Preliminary Plat/PUD recordation, the applicant shall address design issues in the apartment parking lot, including: lighting, fire access, handicapped spaces and access, pedestrian access through the lot, and landscaping.

**Sec. 6.1 Driveway and Access**

Moab Valley Fire Department will need to approve the site plan for safety. Grand County Road Supervisor will need to approve the plan.

**Sec. 6.3 Fences and Walls**

Block wall fencing may be proposed as buffer on the protected zone sites. A landscaping plan may also serve as a buffer.

**Sec. 6.4 Landscaping and Screening**

Prior to Preliminary Plat/PUD recordation, the applicant shall address parking lot landscaping requirements within the apartment site.

**Sec. 6.5 Signs**

The applicant shall obtain a building permit prior to the installation of a subdivision sign.

**Sec. 6.6 Outdoor Lighting**

Prior to preliminary plat approval, the applicant shall address street lighting.

**Sec 6.7 Drainage and Sec 6.8 Floodplains, Natural and Historic Drainages and Sec 6.9 General Site Planning Standards**

The master plan includes limited information regarding drainage and retention. The County Engineer will review engineering issues, including: streets, slopes, soil suitability, natural and historic drainages at preliminary plat review.

**Sec 6.10 Compatibility Standards**

The master plan and preliminary plat will need to comply with the following: building setbacks, building heights, buffer and screening, and dumpsters.

**Sec 6.11 Open Space and Common Area**

The applicant has met the 20% open space requirement. The applicant shall provide a table of calculations and definitions prior to preliminary plat approval, including common area calculations. Town home / multi-family lot lines must be established prior to preliminary plat approval.

**Sec 6.12 Operational Performance Standards**

Prior to the issuance of a building permit, the applicant will be responsible for documenting compliance with all applicable state and county regulations.

**Sec 6.13 Development Impact Fees**

Prior to the issuance of a building permit, the applicant shall pay all applicable development impact fees. A developer agreement may be required to ensure all on-site and off-site infrastructure improvements are completed.

**Sec 6.14 Affordable Housing**

No deed-restricted affordable housing is designated at this time.

**Conclusion:**

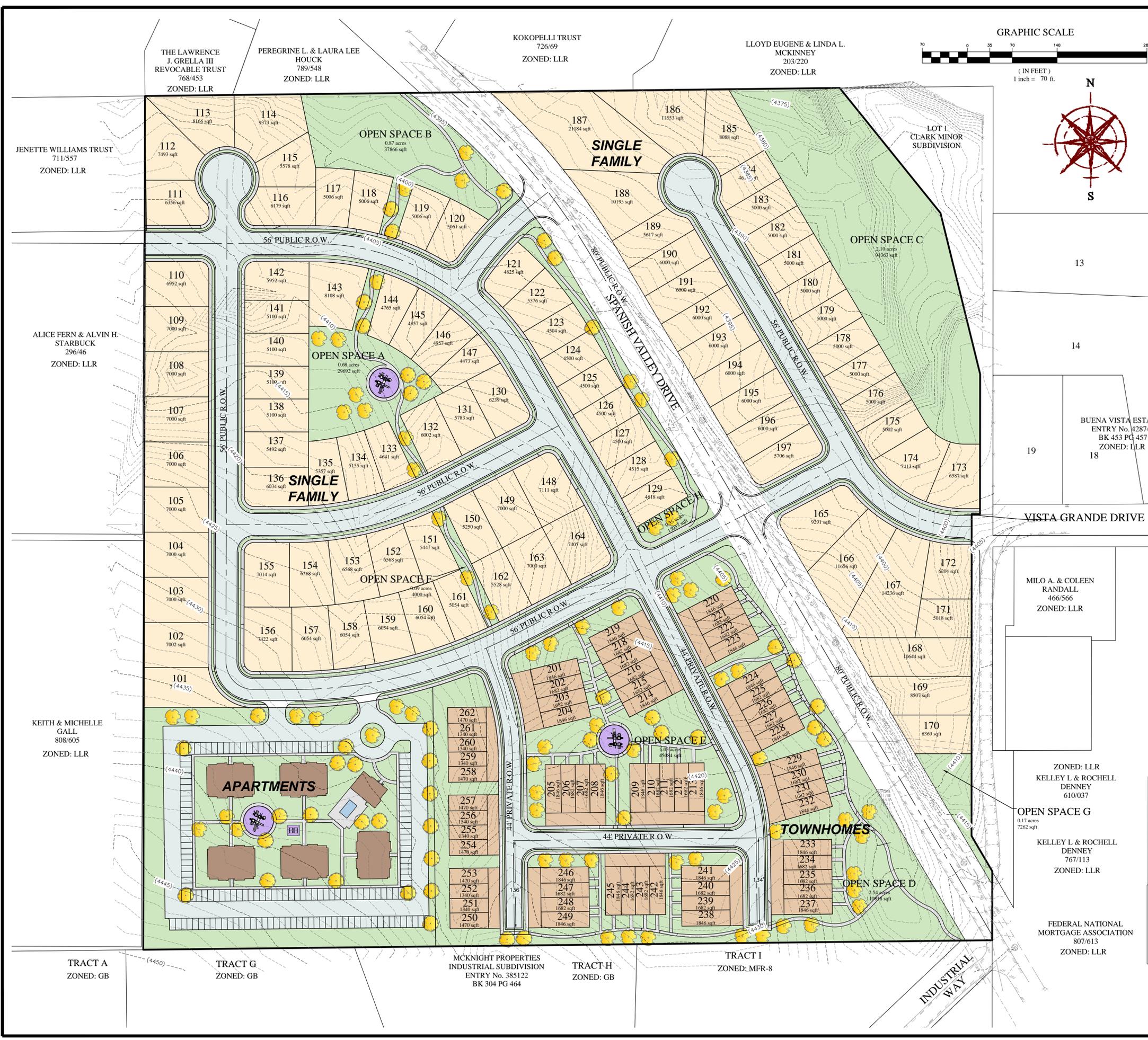
- The MFR-8 Master Plan is only conceptual; details of the site will be reviewed in more detail at Preliminary Plat/PUD process.
- Proposed zone district is supported by the Master Plan and MFR zone district overlay.
- Engineering, Fire Department, and Road Department reviewed the conceptual plan at a development review team meeting and do not support a round-a-bout on Spanish Valley Drive.

**Conditions imposed by Planning Commission:**

1. **TRAFFIC STUDY.** Applicant shall provide an updated traffic study as required by the Spanish Valley Transportation Plan as a condition for Preliminary Plat approval.
2. **MOAB VALLEY FIRE DEPARTMENT.** Applicant shall meet the requirements of fire hydrant spacing, ingress/egress into all areas of the subdivision, radius, turnarounds, and water pressure for emergency needs of the Fire Department and County EMS.
3. **SUBDIVISION & STREET NAMES.** Per emergency services and LUC 7.3.10(E) requirements, the Applicant shall provide unique subdivision and street names. This may be accomplished as part of the Preliminary Plat approval.
4. **LANDSCAPING PLAN and PARKING LOT.** Applicant shall work with staff to address main parking lot design issues, including: landscaping, lighting, handicapped spaces and pedestrian across lot access.
5. **WATER and SEWER.** GWSSA will serve the area. Applicant shall dedicate required easements. A secondary water system will be required. A developer agreement will be part of the subdivision approval process to ensure necessary on-site and off-site infrastructure

improvements are provided and funded. Verbal approval has been granted to the Applicant and Community Development Department. A letter will be provided prior to County Council review.

6. ADJACENT LOTS. Project boundary buffer Sec. 5.4 B. – Buffer lots shall be no smaller than (a) adjacent perimeter lots, or (b) the minimum project boundary buffer parcel size in accordance with the requirements of Sec. 5.4.1A whichever is less. The apartment buildings, adjacent to the residential zones, shall be not higher than 28 feet. A note on the proposed master plan is included to this effect.
7. ROADS. The private roads within the subdivision are narrow. Signs shall state that no parking will be allowed on the street. The proposed round-about on Spanish Valley Dr. will not be approved. Applicant will be required to connect into Vista Grande Dr. and build the road to an equivalent or higher standard. An additional ingress/egress to the development will be required to accommodate the large number of units in the western (larger) portion of the development.
8. ENGINEERING. The Applicant shall continue to work with the County Engineer to obtain all necessary engineering approvals. This includes drainage, roads, excavation and grading, and all other infrastructure improvements.
9. SIDEWALKS and TRAILS. Proposed lots are less than ½ acre. Sidewalks are required within the subdivision and may be required along Spanish Valley Drive. The Community Development Department may require the Applicant work with a bike/pedestrian planning firm to ensure the best trail design and connectivity is accomplished. Specifically, the trail running parallel to Spanish Valley Dr. may need to be sited on the opposite side of the street.



**CONCEPT NARRATIVE**

ORIGINAL PROPERTY	38.69 ACRES
WEST OF SPANISH VALLEY CENTERLINE	28.33 ACRES
EAST OF SPANISH VALLEY CENTERLINE	10.36 ACRES
CURRENT ZONING:	LLR 38.69 ACRES
PROPOSED ZONING:	MFR-8 38.69 ACRES

NOTE: THE PREDOMINANT ZONING IN THE AREA IS LLR WITH SOME MFR-8 AND GB ON THE ADJACENT PROPERTIES TO THE SOUTH OF THE SUBJECT PROPERTY.

SINGLE FAMILY LOTS	97
TOWNHOME UNITS	62
APARTMENT UNITS	60
TOTAL	219

NOTE: THE LOTS AND UNITS TABULATED ABOVE AND SHOWN ON THIS PLAN ONLY ILLUSTRATE AN IDEA OF THE TYPES OF PRODUCT MIX AND POTENTIAL UNIT CONFIGURATION THAT CAN BE ACHIEVED. THE ALLOWABLE UNITS FOR THE PROPERTY IS 220.

TOTAL UNITS ALLOWED 220 UNITS

OPEN SPACE (20% REQUIRED)	
SINGLE FAMILY	4.26 ACRES
TOWNHOME	3.57 ACRES
APARTMENT	1.8 ACRES
TOTAL OPEN SPACE	9.63 ACRES (24% OF TOTAL)

NOTE: THE REQUIRED OPEN SPACE IS 20% AND THE 24% SHOWN ON THIS PLAN IS ONLY AN ILLUSTRATION THAT THE 20% REQUIRED OPEN SPACE CAN BE ACHIEVED.

COMMON AREA:	
APARTMENT PARKING	1.44 ACRES
SINGLE FAMILY OPEN SPACE	4.26 ACRES
TOWNHOME OPEN SPACE	3.57 ACRES
APARTMENT OPEN SPACE	1.8 ACRES
TOTAL	11.07 ACRES

COMMON AREA AMENITIES:	
OPEN SPACE	7.7 ACRES MIN.
APARTMENT CLUB HOUSE	1500 SQFT MIN.
APARTMENT POOL	1200 SQFT MIN.
APARTMENT PLAY GROUND	1000 SQFT MIN.
TOWNHOME PLAY GROUND	1000 SQFT MIN.
SINGLE FAMILY PLAY GROUND	1000 SQFT MIN.
TRAILS AND SIDEWALKS (OUTSIDE OF PUBLIC RIGHT-OF-WAY)	

BUFFERING: WE PROPOSE TO FOLLOW THE GRAND COUNTY LAND USE CODE SECTION 6.3 AND 6.4 AND THE COUNTY CODE SECTION 5.4.1 FOR BUFFERING BETWEEN DIFFERENT ZONES OR INCONGRUOUS USES.

LANDSCAPING AND SCREENING WILL BE USED PER THE LAND USE CODE SECTION 6.10.

HOME OWNER'S ASSOCIATION: THE PROPOSED DEVELOPMENT WILL BE REQUIRED TO HAVE AT LEAST ONE HOME OWNERS ASSOCIATION. THE HOME OWNERS ASSOCIATION(S) WILL BE REQUIRED TO OWN AND MAINTAIN ALL OPEN SPACE, PRIVATE ROADS, COMMON AREA AND LIMITED COMMON AREA.

ROADWAY DEDICATION: RIGHT-OF-WAY DEDICATION ALONG SPANISH VALLEY DRIVE TO ACCOMMODATE A TOTAL OF 80 FOOT WIDE RIGHT-OF-WAY ALONG SPANISH VALLEY DRIVE WILL BE REQUIRED. THIS CONCEPTUAL PLAN SHOWS THE 80 FOOT RIGHT-OF-WAY REQUIRED FOR SPANISH VALLEY DRIVE.

NO RENTALS OF ANY UNITS IN THE PROPOSED DEVELOPMENTS WILL BE ALLOWED FOR LESS THEN 30 DAY RENTAL PERIODS.

DRAINAGE NARRATIVE: THE PROPOSED DEVELOPMENT DRAINAGE WILL BE HANDLED WITH ON-SITE RETENTION PONDS ON PARCELS "OPEN SPACE B" AND "OPEN SPACE C". THE RETENTION PONDS WILL BE SIZED TO HANDLE THE STORM WATER DISCHARGE FROM THE PROPOSED DEVELOPMENT FOR THE 100 YEAR 24 HOUR STORM EVENT. RETENTION PONDS WILL HOLD THE STORM WATER ON-SITE ALLOWING IT TO PERCOLATE INTO THE GROUND AFTER A STORM EVENT. THIS WILL REDUCE THE OFF-SITE STORM WATER IMPACT OF THE SUBJECT PROPERTY SINCE ALL OF THE STORM WATER WILL BE RETAINED ON-SITE. THERE IS AN EXISTING DRAINAGE IN THE SOUTH EAST CORNER OF THE SUBJECT PROPERTY THAT IS CURRENTLY PIPED UNDER SPANISH VALLEY DRIVE AND DISCHARGES INTO WHAT IS NOW SHOW AS "OPEN SPACE G". THE EXISTING DRAINAGE WILL REMAIN IN PLACE OR BE PIPED THROUGH THE SUBJECT PROPERTY WHERE NECESSARY. THE STORM WATER FROM THE DRAINAGE WILL EITHER BE RETAINED IN A POND ON PARCEL "OPEN SPACE G" OR PIPED AND RETAINED IN THE POND PLANNED FOR PARCEL "OPEN SPACE C". STORM DRAINAGE PIPING AND INFRASTRUCTURE WILL BE INSTALLED TO ACCOMMODATE THE DESCRIBED DRAINAGE NARRATIVE.



**FOCUS**  
 ENGINEERING AND SURVEYING, LLC  
 502 WEST 8360 SOUTH  
 SANDY, UTAH 84070 PH: (801) 352-0075  
 www.focusutah.com

Arroyo Crossing  
 Grand County

**Re-Zone Master Concept Plan**

REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

Re-Zone Master Concept Plan

Scale: 1"=70' Drawn: TMR  
 Date: 01/15/16 Job #: 15-287  
 Sheet: 01

April 14, 2016

Zacharia Levine  
Grand County Community Development Director  
125 E. Center St.  
Moab, UT 84532

Re: Letter of Explanation (Arroyo Crossing)

Dear Zacharia;

I am writing to provide clarity as to the status of the Arroyo Crossing development project. We understand that the proposed re-zoning of the subject 39-acre parcel is forthcoming pending a final vote by the Grand County Council. As the owner of the project, I would like to request that we be put on the May 3<sup>rd</sup> County Council agenda for that decision.

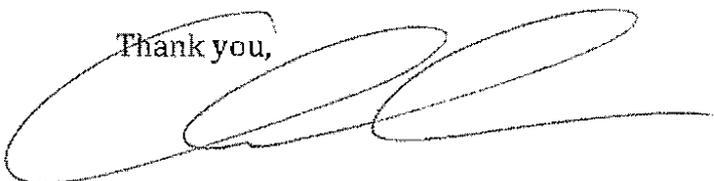
The Council raised a question regarding the amount of deed-restricted housing that would be available for the project. We are willing and able to commit to a minimum of 20% of total density units within the project to meet or exceed requirements to qualify as "Affordable Housing" as described in the Housing Needs by Income data provided by the County. These units, (not to be confused with "Low Income" or "Government Subsidized" units) will be deed-restricted in order to preserve the integrity and long term availability of housing meeting the "Affordable" criteria that Grand County needs.

My agent, Tom Shellenberger will present the project to the Council at their May 3<sup>rd</sup> meeting, and is available in the meantime to answer any question or concerns you may have regarding our desire to get the Arroyo Crossing project rezoned and under construction.

We would like to formally request that this letter be considered with our application for a final vote for the re-zoning.

Thank you for the positive position you have taken in the past with this much-needed project. We look forward to working closely with you and your office in the future to see this project come to fruition.

Thank you,

A handwritten signature in black ink, appearing to read "Mike Kaeske", written over a large, loopy scribble.

Mike Kaeske, owner



**DEVELOPMENT AGREEMENT ESTABLISHING AN AFFORDABLE HOUSING SET-ASIDE  
WITHIN THE ARROYO CROSSING SUBDIVISION**

This development agreement, concerning the affordable housing set-aside within the proposed Arroyo Crossing subdivision ("Agreement"), is made and entered into as of this \_\_\_ day of \_\_\_\_\_, 2016 (the "Effective Date"), by and between Red Acre LLC, a Utah corporation ("Owner/Developer"), Grand County, a political subdivision of the State of Utah ("County"), and the Housing Authority of Southeastern Utah ("HASU").

**Recitals**

- A. Red Acre LLC owns that certain property situated in Grand County, Utah, as more particularly described in Exhibit A, which is attached hereto and incorporated herein by this reference.
- B. The Owner/Developer has submitted a master plan (the "Plan") to the County, to which this agreement is bound. The Plan includes the construction of 220 total housing units, of which no fewer than 20 percent (20%), or 44 housing units, will be deed restricted to remain affordable (collectively, the "Units"; each individually, a "Unit").
- C. The affordable Units shall be ready for occupancy no later than the date of the initial or temporary occupancy of any free market units. If the free market units are to be developed in phases, then the affordable Units may be developed in proportion to the phasing of the free market units. For example, for every ten units constructed, no fewer than two (2) shall be identified and restricted as affordable. Prior to preliminary plat approval, the Units shall be identified on the preliminary plat. A phasing plan shall be provided and agreed upon prior to the issuing of any building permits.
- D. Any Unit constructed for the satisfaction of the 20 percent (20%) set-aside are subject to the terms of this Agreement. The sole purpose of the Units governed by this Agreement is to provide owner- and renter-occupied affordable housing for use by qualified applicants as their primary residence.
- E. Should the total number of units proposed in the Arroyo Crossing subdivision change, the Developer shall be required to set-aside the equivalent of 20 percent (20%) of the total number of dwelling units proposed for affordable housing subject to the terms of this Agreement.
- F. This Agreement shall be appurtenant to the Arroyo Crossing subdivision approval. If the Owner sells the subject property or any portion of the development, including private or common infrastructure, the purchaser shall be subject to the same conditions herein.
- G. Nothing in this Agreement shall preclude the County from establishing additional agreements with the Owner regarding affordable housing or development in general within the proposed subdivision.



## Agreement

1. DEFINITIONS:
  - 1.1. Domicile: The place where an individual has a fixed permanent home and principal establishment, to which the individual, if absent, may not lease or sub-lease and intends to return, and in which the individual and his or her family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home for a minimum of nine months out of each calendar year.
  - 1.2. Event of Default: Noncompliance with any part of this Agreement.
  - 1.3. Maximum Re-Sale Price: The price above which no deed restricted unit may be sold as calculated by the HASU based on a formula set forth in a future agreement.
  - 1.4. Non-Qualified Buyer: A buyer of a Unit that is not a Qualified Buyer.
  - 1.5. Owner-Occupied. A Unit that is occupied by the title owner of record of the Unit as his or her primary residence.
  - 1.6. Maximum Rental Rate: The price above which no deed restricted unit may be rented as calculated by HASU based on a formula set forth in a future agreement.
  - 1.7. Non-Qualified Renter: A renter of a Unit that is not a Qualified Renter.
  - 1.8. Renter-Occupied: A Unit that is occupied by a Qualified Renter as his or her primary residence.
  - 1.9. Household: Two (2) or more individuals related by blood, marriage, or legally recognized relationship, or a maximum of three (3) unrelated individuals residing in the same domicile.
  - 1.10. Primary Residence: The place where a domicile has been established.
  - 1.11. Qualified Buyer: A Qualified Buyer must meet the following criteria:
    - 1.11.1. Person(s) who does not own other real property; and
    - 1.11.2. A household with a minimum of one adult who meets one of the following criteria:
      - 1.11.2.1. Full-time (30 hours of employment per week) employees of entities located within the boundaries of the Grand County School District; or



- 1.11.2.2. An owner or owner's representative of a business located within the boundaries of the Grand County School District.
- 1.11.2.3. A senior citizen (person who is 62 years of age or older at the time of qualification is established); or,
- 1.11.2.4. A person with a physical and/or mental disability.
- 1.11.3. A household with a maximum combined income less than or equal to 80 percent (80%) of the Grand County Area Median Income (AMI) according to household size, which is defined by the most recent annual report of the Department of Housing and Urban Development (HUD). See Exhibit B for FY 2016 limits.
- 1.12. Qualified Renter: A Qualified Renter must meet one of the following criteria:
  - 1.12.1. Person(s) who does not own other real property; and
  - 1.12.2. A household with a minimum of one adult who meets one of the following criteria:
    - 1.12.2.1. Full-time (30 hours of employment per week) employees of entities located within the boundaries of the Grand County School District;
    - 1.12.2.2. An owner or owner's representative of a business located within the boundaries of the Grand County School District;
    - 1.12.2.3. A senior citizen (person who is 62 years of age or older at the time of qualification is established); or,
    - 1.12.2.4. A person with a physical and/or mental disability.
  - 1.12.3. A household with a maximum combined income less than or equal to 80 percent (80%) of the Grand County Area Median Income (AMI) according to household size, which is defined by the most recent annual report of the Department of Housing and Urban Development (HUD). See Exhibit B for FY 2016 limits.
- 1.13. Sale: The term "sale," or any derivative thereof (e.g., "sales," "sold," and "sell"), shall include any transfer of title of a Unit, regardless of whether or not any consideration is provided to the transferor in exchange. This shall include, but is not limited to, any gift, assignment, or other transfer.



- 1.14. Rent: The term "rent," or any derivative thereof (e.g., "rented," "rental," "tenant rate," "lease," and "lease agreement"), shall include any exchange of capital, real or otherwise, for the purpose of establishing a domicile.
- 1.15. Units: The deed restricted Units shall be identified on the preliminary plat prior to preliminary plat approval. No fewer than 44 units, or 20 percent of the total number of dwelling units proposed, shall be deed restricted to remain affordable.
- 1.16. Homeowners Association (HOA): An entity established to maintain any physical facilities, structures, improvements, systems, areas or grounds held in common and necessary or desirable for the welfare of the area or subdivision, or that are of common use or benefit and that are not or cannot be satisfactorily maintained by the County or another public agency.
- 1.17. Department of Housing and Urban Development (HUD): United States government department responsible for setting income limits and maximum housing costs for affordable housing programs.
2. COVENANT TO RESTRICT SALES AND RENTALS TO QUALIFIED BUYERS AND RENTERS:
  - 2.1. Except as otherwise agreed upon by the County and the Owner/Developer by amendment to this Agreement, Units shall only be sold to (1) Qualified Buyers who agree to use the Unit as their owner-occupied primary residence, (2) the County, or (3) HASU. If any Unit is sold to the County or HASU, the County or HASU shall also be bound by restrictions set forth in this Agreement. A Unit may be sold to a Non-Qualified Buyer only under the circumstances set forth in Section 3, below.
  - 2.2. Except as otherwise agreed upon by the County and the Owner/Developer by amendment to this Agreement, Units shall only be rented to Qualified Renters who agree to use the Unit as their primary residence. A Unit may be rented to a Non-Qualified Renter only under the circumstances set forth in Section 4, below.
3. SALES:
  - 3.1. Initial Sales: The initial sales by the Owner/Developer shall be subject to the restrictions set forth in Section 2, above and shall be priced in accordance with the following criteria:
    - 3.1.1. The sales price at which total monthly ownership costs, including principal, interest, taxes, insurance, and HOA fees (if applicable), do not exceed the HUD standard for affordability (less than 30 percent (30%) of total household income) based on household size and number of bedrooms for in the current fiscal year. See Exhibit B for FY 2016 limits.



- 3.1.2. Prior to the initial sale of any Unit, HASU shall confirm in writing the buyer is a Qualified Buyer.
- 3.2. Pricing of Individual Units: The final sales price for each Unit will be established at the time of sale of individual Units in accordance with this Agreement, reviewed and approved by HASU, and documented in a separate and amended Deed Restriction to be recorded prior to the sale of individual Units.
- 3.3. HOA Fees: Annual HOA fees assessed to a Unit shall never exceed one percent (1%) of the Maximum Sales Price as defined in Section 3.8, below.
- 3.4. Resale of Unit: Following the initial sale by the Owner/Developer, the Unit Owner shall notify HASU by delivering to HASU a written notice of such intent. The Unit Owner shall not sell his or her interest in the Unit unless such notice has been provided to HASU, and HASU has had an opportunity to exercise its option pursuant to Section 3.5, below. The date the Unit Owner delivers such notice to HASU shall be the "Offer Date".
- 3.5. Option to HASU: HASU shall have forty-five (45) days after the Offer Date ("Option Period") to make one of the following determinations: a) purchase the Unit ("Option"), b) assign the Option to a Qualified Buyer, or c) decline to purchase the Unit. HASU shall deliver to the Unit Owner written notice of its determination ("Exercise Notice"). HASU shall use its best efforts to deliver the Exercise Notice to the Unit Owner regarding HASU's plans to exercise the Option as early as possible within the Option Period.
- 3.5.1. If HASU elects to exercise its Option to buy the Unit or assigns the option to a Qualified Buyer, HASU or the Qualified Buyer shall complete the acquisition of the Unit within sixty (60) days after delivering the Exercise Notice.
- 3.5.2. If HASU (i) notifies the Unit Owner in writing that it will not exercise the Option, (ii) fails to deliver the Exercise Notice to the Unit Owner within the Option Period, or (iii) exercises the Option or assigns the Option to a Qualified Buyer but the transaction fails to close within sixty (60) days after delivering the Exercise Notice, the Option shall automatically terminate with respect to such sale or offering for sale, without the need for further notice or documentation.
- 3.6. Sale to a Qualified Buyer: Upon expiration or other termination of an Option with respect to a particular Unit, the selling Unit Owner shall then offer the Unit for sale to Qualified Buyers through efforts such as: (i) advertising the sale through local media outlets such as the local newspaper of record and radio stations; (ii) providing notice of the sale to the County Community Development Department; and (iii) listing the Unit for sale on other web-based outlets.



- 3.7. Sale to a Non-Qualified Buyer: If, after using reasonable efforts to sell the Unit to a Qualified Buyer, a Unit Owner is unable to sell the Unit, the Unit Owner shall request that (i) HASU or the County purchase the Unit at a mutually agreed price or (ii) that HASU permit a Non-Qualified Buyer to purchase the Unit subject to the terms of these restrictions. "Reasonable efforts" shall mean conducting a minimum of the following for no less than 120 days: (i) advertising the sale through local media outlets such as the local newspaper and radio stations; (ii) providing notice of the sale to the County Community Development Department; and (iii) listing the Unit for sale on other web-based outlets. HASU shall have the right to deny a Unit Owner's request to sell a Unit to a Non-Qualified Buyer if, during the 120 day period, the Unit Owner rejects an offer from a Qualified Buyer that is within 5% of the Maximum Sales Price as defined in Section 3.8, below.
- 3.8. Re-sale Formula: Following the initial sale of the Unit by the Owner/Developer, subsequent sales of Units shall be governed by a resale formula that establishes the maximum permitted resale price of the unit ("Maximum Sales Price"). In no event shall a Unit be sold by the initial buyer and subsequent buyers for an amount in excess of the Maximum Sales Price, which is equal to the actual purchase price (i) plus an increase of three percent (3%) per year from the date of purchase to the date of Unit Owner's notice of intent to sell, (ii) plus capital improvements amounting to a maximum of ten percent (10%) of the actual purchase price pursuant to Sections 3.8.1 and 3.8.2, below, (iii) plus the sum of \$250.00 to HASU upon each transfer of ownership of a Unit. The purchaser shall pay no more than the Maximum Sales Price.
- 3.8.1. Adding to Maximum Sales Price: With the prior written approval of HASU, a Unit Owner may add capital improvements, which add up to a maximum of ten percent (10%) of the purchase price to the resale value. A list of capital improvements eligible for adding to the Maximum Sales Price shall be further specified in the Unit deed restriction.
- 3.8.2. Out of Pocket Costs: In calculating the costs under Sections 3.8.1, only the Unit Owner's actual out-of pocket costs and expenses as evidenced by receipts shall be used to calculate the resale price. Such amount shall not include an amount attributable to the Unit Owner's profit, labor ("sweat equity") or to any appreciation in the value of the improvements.
- 3.9. Nothing in this Agreement shall be construed to constitute a representation or a guarantee by the Owner/Developer or the County that any sale of a Unit by a Unit Owner shall obtain the Maximum Sales Price.
4. RENTALS:



- 4.1. Initial Rent: The initial rental rate offered by the Owner/Developer shall be subject to the restrictions set forth in Section 2, above and shall be priced in accordance with the following criteria:
  - 4.1.1. The rental rate at which total annual rental costs, including rent, utilities, and HOA fees (if applicable) do not exceed the HUD standard for affordability (less than 30 percent (30%) of total household income) based on household size and number of bedrooms for in the current fiscal year. See Exhibit B for FY 2016 limits.
  - 4.1.2. Prior to the initial rental agreement being executed for any Unit, HASU shall confirm in writing the renter is a Qualified Renter.
- 4.2. Pricing of Individual Units: The final rental price for each unit will be established at the time a rental agreement is signed for an individual unit in accordance with this Agreement, reviewed, approved, and documented by HASU, and recorded with the Grand County Recorder.
  - 4.2.1. Changes to Rental Prices: A Unit Owner shall not increase the rental price charged for a Unit unless such notice has been provided to HASU, and HASU provides written consent to the increase pursuant to this Agreement.
- 4.3. Transfer of Rental Agreement of Unit: Following the initial rental agreement by the Owner/Developer, the Unit Owner shall notify HASU by delivering to HASU a written notice of his or her intent to establish a rental agreement with a different renter. The Unit Owner shall not establish a new rental agreement for the Unit unless such notice has been provided to HASU, and HASU has had an opportunity to exercise its option pursuant to Section 4.4, below. The date the Unit Owner delivers such notice to HASU shall be the "Offer Date".
- 4.4. Option to HASU: HASU shall have fourteen (14) days after the Offer Date ("Option Period") to make one of the following determinations: a) identify a Qualified Renter for the Unit who establishes a new rental agreement ("Option"), or b) decline to exercise its option. HASU shall deliver to the Unit Owner written notice of its determination ("Exercise Notice"). HASU shall use its best efforts to deliver the Exercise Notice to the Unit Owner regarding HASU's plans to exercise the Option as early as possible within the Option Period.
  - 4.4.1. If HASU elects to exercise its Option to identify a Qualified Renter for the Unit who establishes a new rental, the Qualified Renter shall sign a new rental agreement for the Unit within sixty (60) days after HASU delivers the Exercise Notice.
  - 4.4.2. If HASU (i) notifies the Unit Owner in writing that it will not exercise the Option, (ii) fails to deliver the Exercise Notice to the Unit Owner within the Option Period, or (iii) exercises the Option but the Qualified Renter fails to sign a new



rental agreement within sixty (60) days after HASU delivers the Exercise Notice, the Option shall automatically terminate with respect to such rental offering or rental agreement, without the need for further notice or documentation.

- 4.5. Rental Agreement with a Qualified Renter: Upon expiration or other termination of an Option with respect to a particular Unit, the renting Unit Owner shall then offer the Unit for rent to Qualified Renters through efforts such as: (i) advertising the rental offer through local media outlets such as the local newspaper of record and radio stations; (ii) providing notice of the rental offer to the County Community Development Department; and (iii) listing the Unit for rent on other web-based outlets.
  - 4.5.1. Additional Eligibility Requirements: A Unit Owner may institute additional eligibility requirements not specifically defined in this Agreement. HASU shall approve all eligibility requirements not defined in this Agreement prior to their use in approving or denying Qualified Renter applications.
  - 4.5.2. Changes to Additional Eligibility Requirements: A Unit Owner shall not modify additional eligibility requirements for a Unit unless such notice has been provided to HASU, and HASU provides written consent to the modification pursuant to this Agreement.
- 4.6. Rental Agreement with a Non-Qualified Renter: If, after using reasonable efforts to rent the Unit to a Qualified Renter, a Unit Owner is unable to rent the Unit, the Unit Owner shall request that (i) HASU or the County purchase the Unit at a mutually agreed price or (ii) that HASU permit a Non-Qualified Buyer to purchase the Unit subject to the terms of these restrictions. "Reasonable efforts" shall mean conducting a minimum of the following for no less than 120 days: (i) advertising the sale through local media outlets such as the local newspaper and radio stations; (ii) providing notice of the sale to the County Community Development Department; and (iii) listing the Unit for sale on other web-based outlets. HASU shall have the right to deny a Unit Owner's request to rent a Unit to a Non-Qualified Renter if, during the 120 day period, the Unit Owner rejects a rental application from a Qualified Renter who meets all eligibility requirements.
- 4.7. Transfer of Rental Unit to Sales Unit: If at any point the Unit Owner endeavors to sell his or her Unit, which was previously rented to a Qualified Renter, the Unit Owner shall notify HASU by delivering to HASU a written notice of such intent. The Unit Owner shall not sell his or her interest in the Unit unless such notice has been provided to HASU, and HASU has had an opportunity to exercise its option pursuant to Sections 3, above. The date the Unit Owner delivers such notice to HASU shall be the "Offer Date".
5. PHYSICAL CONDITION OF UNITS:
  - 5.1. Changes and/or Capital Improvements: Changes to deed restricted units shall comply with all currently adopted land use and building code standards. Improvements exceeding ten



percent (10%) of the purchase price in value shall not be added to the resale value. Renter-occupied units may not be changed without prior consent of the Unit Owner.

- 5.2. Minimum Standards of Physical Condition: A Unit Owner will be required to maintain a minimum standard of physical conditions, as set forth in Exhibit C - Minimum Standards, for the Unit in order to receive full resale value. Prior to any sale of a Unit, HASU or a designee will conduct an inspection and provide a list to the Unit Owner as to the items that need to be remedied prior to closing to bring the Unit to minimum standards and to get full resale value. If said inspection reflects items that do not meet the minimum standards for Unit Owner to receive full resale value pursuant to Exhibit C, the Unit Owner shall be required to either bring the Unit to minimum standards or an equal cost will be deducted from the Maximum Resale Price. If the Unit meets the minimum standards for Unit Owner to receive full resale value, the Unit shall be sold for a price up to the Maximum Resale Price. HASU will determine the Maximum Sales Price according to the formula set forth in Section 3.8, above.
6. EVENTS OF DEFAULT:
  - 6.1. Owner Occupancy: Unit Owners shall occupy their Unit as their primary residence.
  - 6.2. Rental of Units: No Unit Owner may rent or lease their Unit unless HASU, at its sole discretion, has provided prior written approval. Without prior written approval, renting the Unit constitutes an Event of Default of the Unit Owner. With prior written approval, the Unit Owner shall comply with the requirements set forth in Section 4, above. In no circumstances are nightly rentals allowed.
  - 6.3. Limitations on refinancing: The Unit Owner shall not, under any circumstances, obtain any financing or a combination of multiple rounds of financing that, in the aggregate, exceeds the Maximum Resale Price at the time such financing is completed. Doing so constitutes an event of default.
  - 6.4. Default: As defined above, noncompliance with any part of this Agreement constitutes an Event of Default. Events of Default shall include but not be limited to: rental of the Unit without prior written approval of HASU, obtaining financing or a combination of multiple rounds of financing that, in the aggregate, exceeds the Maximum Resale Price, not utilizing the Unit as an owner-occupied or renter-occupied primary residence, and noncompliance with any other part of this Agreement. Upon the occurrence of any Event of Default, a Unit Owner shall have 30 days to remedy the default, after which HASU or the County shall have the right to require that the Unit Owner sell the Unit in accordance with and subject to limitations of this Agreement.
  - 6.5. Penalties: Upon the occurrence of any Event of Default, if the Unit Owner remains out of compliance and does not cure the default, monetary penalties shall be assessed against the Unit Owner at \$100 per day beginning on the 31st day after the Unit Owner is notified in



writing of the Event of Default. The County reserves the right to seek judicial enforcement of these penalties, including seeking a judgment lien and foreclosure.

- 6.6. County's rights to purchase a Unit in default: If a Unit Owner is in default of or has failed to make timely payments with respect to any mortgage, deed of trust, or other financial arrangement secured by a Unit, the creditor secured by the Unit (the "Secured Creditor") shall provide the County with a written notice at least 30 days prior to initiating a trustee's sale, foreclosure proceeding, or remedy affecting title to the Unit. After receiving the notice from the Secured Creditor, the County or a designee shall have the right to purchase such Unit at a price equal to the amount of outstanding principal, accrued interest, and any other reasonable costs incurred by the Secured Creditor in connection with the Unit. The County may exercise its right to purchase the Unit by providing written notice of its intent to purchase to the Secured Creditor within 30 days after receipt of the Secured Creditor's notice. If the County or a designee does not provide the Secured Creditor notice of its intent to exercise its right to purchase within 30 days after receipt of the notice from the Secured Creditor, the County's right to purchase shall lapse. If the County's right to purchase lapses, the Secured Creditor may initiate a trustee's sale, foreclosure proceeding, or other remedy affecting the title to the Unit. If the ownership of the Unit is transferred as the result of a trustee's sale, foreclosure proceeding, or other remedy affecting the title to the Unit, all deed restrictions in this Agreement are removed with respect to that Unit.

7. OTHER MISCELLANEOUS ISSUES:

- 7.1. Term of Agreement: The term of this Agreement shall commence as of the date first set forth above and continue in full force and effect for a period not less than forty (40) years. Upon the expiration of the initial forty (40) year term, this Agreement shall be renewed for additional consecutive ten (10) year terms, unless the County shall determine, based on an independent market study, that the Unit is no longer necessary to satisfy the affordable or employee housing needs in the County. The County Council or its designee shall make the final determination of such continuing need. The deed restriction for each Unit shall further specify the procedure for removing said deed restriction, and distributing any equity associated with the difference between the Maximum Sales Price at the time and fair market value.
- 7.2. Annual Compliance Report: HASU shall provide the County with an annual compliance report by January 31 of each year during the term of this Agreement. The annual compliance report shall include a signed statement by each Unit Owner certifying that their respective Unit is in compliance with the terms of this Agreement.
- 7.3. Waivers: The Owner/Developer hereby waives any defenses, rights or remedies that it might otherwise assert against the County in connection with: (i) the application of the rule against perpetuities to this Agreement; or (ii) any claim that the covenants in this Agreement recorded against the Unit are not real covenants running with the land constituting the Unit.



This waiver shall be binding upon and inure to the benefit of the successor and assigns of the Owner/Developer and the County.

- 7.4. Discontinuance of liability after conveyance: Following the recording of a deed conveying the Unit to a purchaser, the transferor of the Unit shall have no further liability under this Agreement respecting the Unit, except to the extent caused by the negligence or intentional misconduct of the transferor.
- 7.5. Sale against Owner's will: Nothing in this Agreement shall be interpreted to require a Unit Owner to sell the Unit against that Unit Owner's will unless the Unit Owner is in default pursuant to Section 5.4, above.
- 7.6. Severable obligations and liabilities: The parties understand that the Units may eventually be owned by different individuals and entities. The Unit Owner of any particular Unit, and that Unit itself, shall not be liable for, or encumbered by, the obligations or liabilities under this Agreement associated with any other Unit or Unit Owner.
- 7.7. Non-recourse: The various owners, members, directors, officers, managers, employees, agents and contractors of the Owner/Developer shall have no personal liability, deficiency, or recourse liability under this Agreement. The Owner/Developer's liability under this Agreement shall be limited solely to the Owner/Developer's interest in each Unit and the proceeds therefrom.
- 7.8. Notices: Any and all notices and demands by any party to any other party required or desired to be given hereunder shall be in writing and shall be validly given or made if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested, sent by Federal Express or other similar courier service keeping records of deliveries and attempted deliveries, or served by facsimile transmission. Service by mail or courier shall be conclusively deemed made on the first business day delivery is attempted. Facsimile transmissions received during normal business hours on a business day shall be deemed made at the time of receipt. Facsimile transmissions not received during normal business hours on a business day shall be deemed made on the next business day. The parties may change their respective addresses for the purpose of receiving notices or demands as herein provided by a written notice given in the manner aforesaid to the others, which notice of change of address, shall not become effective, however, until the actual receipt thereof by the others.

Any notice or demand to the Owner/Developer shall be addressed to the following address:

Red Acre, LLC  
Attn: Michael Kaeske, President  
ADDRESS  
ADDRESS  
Fax:



Any notice or demand to the County shall be addressed to the following address:

Grand County  
Attn: County Clerk-Auditor and Community Development Department  
125 E. Center St.  
Moab, UT 84532  
Fax: (435) 259-2959

Any notice or demand to the HASU shall be addressed to the following address:

Housing Authority of Southeastern Utah  
Attn: Executive Director  
321 E. Center St.  
Moab, UT 84532  
Fax: (435) 259-4938

- 7.9. Severability: Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law. If any provision of any of the foregoing Agreement shall be invalid or prohibited under applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provisions in this Agreement.
- 7.10. Attorney's Fees: If any party shall take or defend against any action for any relief against another party arising out of this Agreement, the prevailing party in such action or defense shall be entitled to reimbursement by the other party for all costs including, but not limited to, reasonable attorneys' fees and court costs incurred by the prevailing party in such action or defense and/or enforcing any judgment granted therein, all of which costs shall be deemed to have accrued upon the commencement of such action and/or defense and shall be paid whether or not such action or defense is prosecuted to judgment. Any judgment or order entered in such action or defense shall contain a specific provision providing for the recovery of attorneys' fees and costs incurred in enforcing such judgment.
- 7.11. Choice of Law: This Agreement shall be governed and construed in accordance with the laws of the State of Utah.
- 7.12. Successors: Except as otherwise provided herein, the provisions and covenants contained herein shall inure to and be binding upon the heirs, successors, and assigns of the parties.
- 7.13. Third Party Beneficiary: This Agreement is not intended to confer rights on third parties.
- 7.14. Paragraph Headings: Paragraph or section headings within this Agreement are inserted solely for convenience of reference and are not intended to, and shall not, govern, limit or aid in the construction of any terms or provisions contained herein.



- 7.15. Gender and Number: Whenever the context so requires herein, the neuter and gender shall include any or all genders and vice versa and the use of the singular shall include the plural and vice versa.
- 7.16. Modifications: The Parties agree that any modifications of this Agreement shall be effective only when made by writings signed by the parties, or their successors, hereto and recorded with the Clerk and Recorder of Grand County, Utah.
- 7.17. Recordation: Upon execution and delivery of this Agreement by the Owner/Developer, the County, and HASU, the Owner/Developer shall cause this Agreement to be recorded and filed in the official public land deed records of Grand County, Utah, and shall pay all fees and charges incurred in connection therewith.
- 7.18. Covenants Run with the Land: The Owner/Developer intends, declares and covenants, on behalf of itself, all future owners of the Units, and all parties that obtain any interest in any Unit that this Agreement and the covenants and restrictions set forth herein, regulating and restricting the rents, use, occupancy and transfer of the Units, shall be covenants running with the land and improvements constituting the Units, for the benefit of the County, shall encumber the Units, and shall be binding upon the Owner/Developer, all subsequent Unit Owners of the Units, and any other party with an interest in any Unit.
- 7.19. Integration: This Agreement constitutes the entire agreement between the parties with respect to the matters set forth herein.
- 7.20. IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the Effective Date.



IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the Effective Date.

COUNTY:  
Grand County  
A political subdivision of the State of Utah

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

\_\_\_\_\_  
County Clerk

Approved as to form:

\_\_\_\_\_  
County Attorney

Owner/Developer:  
Red Acre, LLC

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

ACKNOWLEDGEMENT:

STATE OF UTAH            )  
  §  
COUNTY OF GRAND    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2016, by \_\_\_\_\_, in his/her capacity as \_\_\_\_\_ of \_\_\_\_\_, a corporation of the State of \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_



**Exhibit A  
Real Property**

The following described real Property is located within NW ¼ NW ¼ Section 17, T26S, R22E (SLM) Grand County, Utah, more specifically described as follows:

BEGINNING AT THE NW CORNER OF THE NE1/4 OF SE1/4 OF SECTION 17, T26S, R22E, SLM, THE NW CORNER OF LOT 2 OF THE CLARK MINOR SUBDIVISION, AND PROCEEDING THENCE WITH THE NORTH LINE OF LOT 2 OF THE CLARK MINOR SUBDIVISION N 89°11'08" E 479.50 FT. TO THE CENTERLINE OF SPANISH VALLEY DRIVE, THENCE WITH SAID CENTERLINE ALONG THE ARC OF A 920.25 FT. RADIUS CURVE TO THE RIGHT 327.79 FT. (SAID CURVE HAS A CHORD WHICH BEARS S 40°52'09"E 326.06 FT.), THENCE WITH SAID CENTERLINE S 30°39'54" E 1232.15 FT. TO THE EAST LINE OF SAID SECTION 17 AND THE EAST LINE OF SAID LOT 2, THENCE WITH SAID LINE S 00°02'00" W 7.94 FT. TO THE SE CORNER OF SAID LOT 2, THENCE S 89°21'03" W 1322.66 FT. TO THE SW CORNER OF SAID LOT 2, THENCE WITH THE WEST LINE OF SAID LOT N 00°03'31"E 1322.53 FT. TO THE POINT OF BEGINNING AND CONTAINING 28.33 ACRES MORE OR LESS.



**Exhibit B  
FY 2016 Maximum Income Limits and Maximum Housing Costs**

\*Median Income is recalculated on an annual basis\*

FY 2016 Income Limit Area	Median Income	FY 2016 Income Limit	Persons In Family							
			1	2	3	4	5	6	7	8
Grand County	\$64,300/y r	HUD (80%) Income Limits (\$)	\$36,050	\$41,200	\$46,300	\$51,450	\$55,600	\$59,700	\$63,800	\$67,950

FY 2016 Income Limit Area	Median Income	FY 2015 Income Limit	Maximum Housing Costs/month (Owner or Renter)					
			0 BDRM	1 BDRM	2 BDRM	3 BDRM	4 BDRM	5 BDRM
Grand County	\$64,300/ yr	HUD (80%) Income Limits (\$)	\$901	\$966	\$1,158	\$1,338	\$1,493	\$1,647
			*As per HUD standards, monthly costs assume 1.5 persons/bedroom					



**Exhibit C**  
**Minimum Standards for Seller to Receive Full Resale Value**

- Clean unit
- Carpets steam-cleaned two or three days prior to closing
- All scratches, holes, burned marks repaired in hardwood floors, linoleum, tile, and counter tops, etc.
- No broken or foggy windows
- All screens in windows (if screens were originally provided)
- All doors will be in working order with no holes
- All locks on doors will work
- All keys will be provided; e.g., door, mail box, garage
- All mechanical systems shall be in working order
- Walls paint ready
- Normal wear and tear on carpet; if carpet has holes, stains, etc., the carpet and padding shall be replaced or escrow funds at current market value per square foot for a comparable product shall be held at the time of closing to be used by the new buyer
- No leaks from plumbing fixtures
- Any safety hazard remedied prior to closing
- Satisfaction of radon issue if found at time of inspection
- All light fixtures shall be in working order
- All appliances that existed in the original Unit, remain and are in good working order and good condition

**DEFINITIONS**

- Clean Unit: All rooms will be cleaned as stated below:
- Kitchen:
  - Range - Inner and outer surfaces will be cleaned.
  - Range hood and Exhaust Fan
  - Refrigerator and Freezer - Inner and outer surfaces of refrigerator and freezer will be clean. Freezer will be defrosted.
  - Cabinets and Countertops - Exterior and interior surfaces of cabinets and drawers will be clean. Door and drawer handles, if provided, shall be clean and in place.
  - Sink and Garbage Disposal - Sink and plumbing fixtures will be clean. Garbage disposal must be in working order.
  - Dishwasher - Must be in working order and inner and outer surfaces shall be clean.
- Blinds, Windows, Screens:
  - Mini-blinds, Venetian Blinds, Vertical Blinds, and Pull Shades - Will be clean.
  - Windows - All window surfaces, inside and outside of the window glass, shall be clean.
  - Screens - Screens will be clean and in place with no holes or tears.



- Closets: Closets, including floors, walls, hanger rod, shelves and doors, shall be clean.
- Light Fixtures: Light fixtures will be clean and shall have functioning bulbs/florescent tubes.
- Bathrooms:
  - Bathtub, Shower Walls, Sinks - Bathtubs, shower walls and sinks shall be clean.
  - Toilet and Water Closet - Water closets, toilet bowls and toilet seats will be clean. If the toilet seat is broken or peeling, the seat shall be replaced.
  - Tile - All tile and grout will be clean.
  - Mirrors and Medicine Cabinets - Mirrors and medicine cabinets shall be cleaned inside and out.
  - Shelves and/or Other Cabinetry - All other shelving or cabinetry shall be cleaned inside and out.
- Walls, Ceilings, Painted Doors and Baseboards: Painted surfaces must be cleaned with care to ensure the surface is clean without damaging the paint.
- Floors: Floor cleaning includes sweeping and mopping and could include stripping, waxing and buffing. Types of floor surfaces include bamboo and marmoleum.
- Interior Storage/Utility Rooms: Storage/utility rooms shall be cleaned. Properly cleaned storage/utility rooms will be free from odors, removable stains, grease marks or accumulations.
- Washer/Dryer- Must be in working order and inner and outer surfaces shall be clean
- Safety Hazard: Any item that provides a safety hazard shall be fixed. This would include, but is not limited to, exposed electrical wiring, satisfaction of any radon issue found, ventilation for gas hot water system, etc.
- Walls Paint-Ready: All holes shall be patched; all posters, pictures, etc., shall be removed from all walls; all nails, tacks, tape, etc., shall be removed from all walls; and all walls shall be clean and ready for the new buyer to paint. If wallpaper has been placed on the wall and in good condition, the wallpaper can remain; if the wallpaper is peeling off, the wallpaper must be removed.
- Windows: If a window is broken, including the locking mechanism, the window shall be replaced. If the window has a fog residue in the inside, it shall be replaced.

Late

**Bryony Chamberlain**

---

**From:** Grand County Council  
**To:** Council Members  
**Cc:** Diana Carroll; Ruth Dillon; Zacharia Levine  
**Subject:** FW: Arroyo Crossing Rezone Item I  
**Attachments:** Child in Death Zone.jpg

**From:** William Love [mailto:sombra@frontiernet.net]  
**Sent:** Friday, May 13, 2016 5:33 PM  
**To:** Zacharia Levine <zlevine@grandcountyutah.net>  
**Cc:** Grand County Council <council@grandcountyutah.net>  
**Subject:** Arroyo Crossing Rezone Item I

Please Distribute

- I. Adopting proposed Ordinance approving the "Arroyo Crossing Rezone Plan," a rezone from Large Lot Residential (LLR) to Multi-Family Residential for such property located at 2022 Spanish Valley Drive, Moab, Utah (Spanish Blvd), postponed from February 2, 2016 (Zacharia Levine, Community Director)

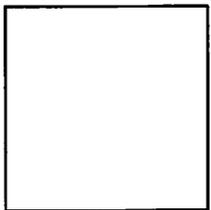
Zacharia- Will the parking plan provide within the development for parking trailers up to 50 feet long used for off road vehicles? The trailer parking will also need a large access road to the trailer parking areas.

Coyote Run on East Bench Rd was given a reduction in internal street size and no provisions were made for parking large vehicles many years ago. The attached picture clearly shows the problems that large trailers and no parking inside a development causes on surrounding streets.

You will need no parking signs down one side of all adjacent streets to provide access for emergency vehicles. Westwater Drive near the golf course last Easter required no parking on one side from the Fire House at the turn around to the Rock Art at the top of the golf course. Trailers were parked on both sides of the adjacent streets for almost a mile several days of the week. Aggressive enforcement was required by the Sheriff Department.

Please Advise

Bill Love



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**From:** Grand County Council  
**To:** Council Members  
**Cc:** Diana Carroll; Ruth Dillon; Zacharia Levine  
**Subject:** FW: Zoning near Buena Vista

**From:** Gigi Love [mailto:lovecha68@gmail.com]  
**Sent:** Sunday, May 15, 2016 7:35 PM  
**To:** Michele Hill <michele.hill@inbox.com>; Grand County Council <council@grandcountyutah.net>  
**Subject:** Re: Zoning near Buena Vista

Dear Grand County Council-Planning Commission,

My name is Charlene G. Love Nicholson. My husband Peter Nicholson and I live on 2112 Buena Vista Dr. We are strongly opposed to the rezone of the below listed area, and would ask that you vote NO on this issue May 17th at your meeting.

**Rezone: Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), at 2022 Spanish Valley Drive, Moab, Utah (North of Resource Blvd).**

By voting NO on this rezone you will show your constituents that you are willing to listen to their needs, put the people first and make sure that a developer will not come in and build more of what we already have and don't need. You will also show that you are willing create a town that we are all proud to call home, and co-create together.

We purchased our home in Sept 2014 from Rachel Moody.

After 2 years of house hunting, we decided to purchase a home in Buena Vista Estates. We read the zoning codes in the area before we bought our house and were very happy with the LLR code across the street, and thought it would be a nice area for years to come, even if more homes were built.

We are not opposed to new homes, but are opposed to this rezone. All rezone areas that plan to build homes need to have clear regulations and guidelines for developers before the rezone passes.

I feel that there clearly needs to be community input in this process, and regulations to set the standard for what types of homes, drainage, traffic flow, and income based affordable housing and green space will be provided; with a compliance contract from the developer of any type of housing development in Grand County.

As we take note of the many houses for sale in Moab that no one can afford who lives or works here, it's obvious that developers do not have the best interest of the community in mind when building subdivisions in this town. We thought our neighborhood was an exception and were impressed with the thoughtfulness of the layout. We would ask any developer to move forward with that same consideration to all citizens whether creating condos or affordable housing.

Also, a 200 home subdivision is the last thing we want in our rural country neighborhood where the homes we bought under the codes set in place gave us peace of mind that there would be thoughtful planning in the future. We believed when we bought our home and checked the zoning codes that we were buying a place for a quality of life that would exist into our old age, and we would like to preserve that quality, meaning: less light at night, quiet, out of town, and the beauty of nature in a peaceful setting.

The priority for building in the Spanish Valley area and across our street should be first and foremost, an affordable housing subdivision and units spread throughout the valley, and in town. Apartments should be built across the street from Rotary Park. There are so many pieces of land for sale on 191 that should be considered as well.

If the need drives the market then Moab is totally backwards in this reality, because there are tons of empty homes, vacation homes and rentals every night, while good hard working people still have no place to call their own.

Please vote NO on the rezone and plan to build homes that welcome all in the area, that are sensible, affordable and environmentally sound.

Sincerely,  
Charlene G. Love Nicholson

On Sat, May 14, 2016 at 12:56 PM, Gigi Love <[lovecha68@gmail.com](mailto:lovecha68@gmail.com)> wrote:

Thanks Michele-we'll be there with signs and re-send our letters. Can you post this on Facebook under the Moab Information Page?

On Sat, May 14, 2016 at 12:41 PM, Michele Hill <[michele.hill@inbox.com](mailto:michele.hill@inbox.com)> wrote:

Hi I would say go on record with each of your letters to go in the packet.  
Do it this weekend to be there on Monday  
[council@grandcountyutah.net](mailto:council@grandcountyutah.net)

And have signs that read Vote NO about rezone from Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), at 2022 Spanish Valley Drive, Moab, Utah (North of Resource Blvd).

It would be terrific to fill the room. If you know other locals who sympathize with the fact that it is urban develop where rural citizens invested to live. If 200 homes went in instead of 60 that would be 400 cars not 120 added to Spanish Valley Drive traffic and if there are 3 bedrooms add an additional car. Carmichaels were denied the zone change over the winter. Inevitable to have growth, yet the growth could be spread out. At least the Carmichael land by Old Spanish Trail Arena on Spanish Valley drive can exit Spanish Valley Road on Spanish Trail Road and use an Acceleration Lane to into town.

It is my understanding the land owner just wants to sell since Arroyo did not go through. So the zone change appears to me to be an OPEN Ticket for the next developer and it enables more greed, to let the land owner make his money. And how will that translate to affordable homes at that property>  
I saw .3 acres in Moab selling for \$78,000. Empty land. So what will 30 acres sell for with a sky's the limit building opportunity? Why do surrounding land owners pay for that poor investment the land owner made?

Um...you get what I mean...

Michele Hill  
Home [435-259-5884](tel:435-259-5884)  
Monday - Friday 8 AM - 5 PM [435-259-1340](tel:435-259-1340)

-----Original Message-----

**From:** [lovecha68@gmail.com](mailto:lovecha68@gmail.com)  
**Sent:** Sat, 14 May 2016 12:05:09 -0600  
**To:** [michele.hill@inbox.com](mailto:michele.hill@inbox.com)  
**Subject:** Re: Zoning near Buena Vista

Hi Michele,  
Gigi Love and Peter Nicholson here on Buena Vista. Thanks for the update, we are in town then. What can we do to help? I wrote a letter last time-did you get to see it?

I'm on board for whatever you think would be best in the well being and quality of life for our area.

Feel free to call me, or we can get together tomorrow or Monday and talk sometime. [970-426-9475](tel:970-426-9475)

Gigi Love Nicholson  
2112 Buena Vista

On Sat, May 14, 2016 at 11:34 AM, Michele Hill <[michele.hill@inbox.com](mailto:michele.hill@inbox.com)> wrote:

ON the big lots by our neighborhood.

This goes to vote again on Tuesday May 17. Meetings starts at 4 PM at the County Courthouse. It is agenda item i.

If you cannot make it please write another letter to [county@grandcountyutah.net](mailto:county@grandcountyutah.net) and copy me too.

Thanks,

Michele Hill  
Home [435-259-5884](tel:435-259-5884)  
Monday - Friday 8 AM - 5 PM [435-259-1340](tel:435-259-1340)

> -----Original Message-----

> From: [lovecha68@gmail.com](mailto:lovecha68@gmail.com)

> Sent: Mon, 11 Jan 2016 15:01:43 -1000

> To: [michele.hill@inbox.com](mailto:michele.hill@inbox.com)

> Subject: Zoning near Buena Vista

>

> Hi Michelle-what can I do to stop the zoning of more homes near my

> street? Thanks,

> Charlene Love and Peter Nicholson

> 2112 Buena Vista Dr

>

> Sent from my iPhone

---

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Watch the Earth right on your desktop! Check it out at [www.inbox.com/earth](http://www.inbox.com/earth)

Late

**Bryony Chamberlain**

---

**From:** Peter Nicholson <peter.hawaii@gmail.com>  
**Sent:** Sunday, May 15, 2016 8:02 PM  
**To:** Grand County Council  
**Cc:** michele.hill@inbox.com  
**Subject:** Rezoning at 2022 Spanish Valley Drive

Dear Grand County Council - Planning Commission,

My name is Peter Nicholson and I live in the Buena Vista Estates subdivision across Spanish Valley Drive from the area proposed for rezoning. I am also a licensed Civil Engineer with a PhD in Civil Engineering from Stanford University, a medal from the U.S. Army for Outstanding Civilian Service, and over 25 years of experience including development of subdivisions and multi-family properties. While I support some continued development throughout the valley, which may be cause for reasonable rezoning of some areas, I am opposed to the vote on rezoning the parcel of land adjacent to Spanish Valley Drive and Resource Blvd. at this time for a number of reasons.

My wife and I purchased our property on Buena Vista Drive in part because of the rural feeling of the area, the large minimum lot size, the distance from high-density development, the quiet of the low volume of traffic, the dark affording incredible night skies, considerable open "green" space, and many other aspects. We looked at the zoning of the area and were comforted by the fact that it seemed that semi-rural nature of the area would be preserved. I have two main reasons for my opposition to the vote to rezone at this time:

- 1) I have read considerable material and have heard first-hand from full and part-time residents regarding the need for affordable housing, and I sympathize with that need. This type of development should be a priority for the Planning Commission, and in my opinion any new developments in the valley requiring rezoning should concentrate a majority of the development to affordable housing.
- 2) A second concern as a professional Civil Engineer is that the property proposed for rezoning is suitable for development, but not with such a high density of housing that would obviously put an added burden on the local infrastructure including traffic, noise and light pollution, as well as utilities, drainage and sewer.

I strongly urge the Council to simply vote NO at this time until a more reasonable development plan is made (including lower density/many less units and more affordable properties), further community input is heard, and a consideration is made to spread out new development over the great area of other undeveloped property in the area.

Please hear the voice of the community and vote NO at the meeting on Tuesday May 17<sup>th</sup>. A decision like this that will forever change the dynamics and state of now undeveloped land needs time to be thoroughly considered and carefully evaluated before being made.

Sincerely,

Peter Nicholson, PhD, PE, D.GE

--  
Peter G. Nicholson, Ph.D., P.E., D.GE, F.ASCE

808-291-6771  
[peter.hawaii@gmail.com](mailto:peter.hawaii@gmail.com)

**From:** Grand County Council  
**To:** Council Members  
**Cc:** Diana Carroll; Zacharia Levine; Ruth Dillon  
**Subject:** FW: 2022 Spanish Valley Drive

-----Original Message-----

From: Michele Hill [mailto:michele.hill@inbox.com]  
Sent: Monday, May 16, 2016 12:00 AM  
To: Grand County Council <council@grandcountyutah.net>  
Subject: 2022 Spanish Valley Drive

Dear County Council,

The vote is going before you again for the zone change of Large Lot Residential (LLR) to Multi-Family Residential -8 (MFR-8), located at 2022 Spanish Valley Drive, Moab, Utah (North of Resource Blvd).

I realize the council may feel compelled to pass this right through due to the overlay from a 2012 General Plan. The city is soon to release an RFP to bring in a company to study the area for interpretation for a new City General Plan. I know there are efforts by the county to meet to discuss and resolve the housing issue. But I have witnessed actions over the winter that haven't reflected a general plan that is really current to help guide the valley with housing decisions.

Over winter, there were two land sectors on Spanish Valley up for zone change and that fact made matters confusing. I reviewed those meeting packets and an occasional person wrote a letter to the wrong agenda item. And there certainly was comparison and contrast. In reviewing those pages, there were arguments for the Carmichael zone change about the impossibility of developers being held to the standard for affordable housing. That making developers stick to affordable would be unlikely. I believe this point to be the same for the Resource Blvd property. And the Carmichael zone change was defended by indicating the overlay set out by the General Plan. Inevitably, growth is upon the Moab Valley.

The Carmichael issue made sense to change the zone, by the way, to spread out housing rather than stick urban Moab on top of the surrounding land owners of 2022 Spanish Valley Drive. It would make sense to then give the adjacent Beeson property that has been empty of commercial use a rural home designation too. Small Lot Residential is realistic over Multi-Family density. People surrounding 2022 Spanish Valley Drive repeatedly tell the story of moving there for the rural value. I had a house in Moab on 400 North, my husband had a house in Mountain View. If we wanted to live in town we were all set. We selected to live rural. Besides the drainage, noise, and traffic issues, I have concerns about increased illumination. Bridges National Monument and Canyonlands National Park are gold tier International Dark Sky Parks. I value the dark sky in this part of the valley. What becomes of it with loading up the land nearby?

The Flood and Catchment matter has not been addressed satisfactorily. Part of the Grand County Land Use Code amended thru April 2008 reads:

E. Land Suitability The County shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land deemed to be environmentally unsuitable shall not be platted for residential occupancy, or for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Such land within the plat shall be restricted for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

I have read through the documents submitted at this time 20% affordable. It hardly tackles the burden of housing. So the other 80%, who will be able to afford those? My acquaintance accepted a manager role at the Subway store. It made her earn \$8 a month too much to continue living at her subsidized housing. She is either evicted or resumes working at the lower wage.

Another worker gets \$11 an hour to work the front desk of a hotel and \$11 at City Market. She makes over \$24,000 to be considered for subsidized housing and cannot afford \$1500 a month and remarks that renters are specifying no children or must be age 40 or older. She has a child. Her son's father, her son and herself are living with parents. She pointed out she could earn \$3 and hour more at City Market if the corporation categorized the Moab store to be just what Moab is a Tourism destination.

County could be involved in issues of wages in the valley.

Who will be contracted to build the place? Out of town guys? So there are more local construction workers who can't earn enough to afford a place.

The County is in the position to require more affordable living by the developers. You are giving the investors riches with this zone change Irregardless of the surrounding residents communication with the council about it.

Community Rebuilds is contracted to build the first apartments in Moab from their program with the Blackburn sisters. I think this should be watched with interest to determine an affordable possible plan for building apartments in the area.

Except for the seller, the developer and Suzanne Lewis (and Suzanne listed concerns to be addressed too), I didn't find the public voice speaking to the council to pass this zone change. You have been elected to be our voice. I have one neighbor on Vista Grande who has already put his house up for sale with Rachel Moody as a result of this matter. He is hopeless about how the county will treat this determination.

Represent my voice and vote no for MFR-8.

Michele Hill  
1985 Buena Vista  
Moab, UT

---

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Check it out at <http://www.inbox.com/earth>

**From:** Suzanne Lewis <suzannelewismoab@gmail.com>  
**Sent:** Monday, May 16, 2016 1:54 PM  
**To:** Grand County Council  
**Subject:** Arroyo Crossing

Dear County Council Members,

I am writing about the Arroyo Crossing project's request for a zone change to allow multiple housing units.

I know that this is a prime development parcel and will be developed. However I urge that before any up zoning is granted that the severe drainage issues present on the property be addressed and resolved. Drainage problems will result in damage to a number of properties and the more hardscape in the proposed project the more severe the problem will be.

I also have concerns about traffic management and planning. Spanish Valley Drive is narrow and winds through the area toward town. I don't think adding several hundred car trips each day will run smoothly and with out danger.

I hope that affordable housing with guarantee , for example Deed Restrictions, will be in place on any approved Plat.

I am very sorry that I am unable to attend the meeting in person but I thank you for allowing my email to be part of the Comments.

Sincerely,

Suzanne Lewis  
Arches Real Estate Group  
Residing at 2003 Starbuck Lane  
435 260 2658 Cell Phone

**From:** Ludean Merritt <merritt@moabrealestate.com>  
**Sent:** Monday, May 16, 2016 4:13 PM  
**To:** Grand County Council  
**Cc:** Zacharia Levine  
**Subject:** FW: Re: Rezoning for Arroyo property Off of Resource Blvd. & Spanish Valley Dr. Moab, UT. 84532

Dear Council Members;

I am writing in regards to the rezone on this property. I don't have a problem with homes and some apartments to be blt. However I think the number of units that the developer and development want to put on this piece does not fit for the following reasons, too many units to build and is not sufficient for the amount of acreage that currently exist.

1. **Access** to and from the Development is going to be quit significant to the residents that live near or close by. I don't think that the current accesses are sufficient for the traffic it will encounter.
2. **Drainage**, this is the most Important issue in my opinion. There are current residents that will be affected by this zone change, including our residence that is located off of Murphy Lane if not done properly. I am in hopes that a proper drainage plat has been done by a Professional Engineer and not the developer or development. This will effect all of the residents around the development.
3. **Noise** and **lighting** to be addressed.
4. **Affordable housing** needs to be addressed, we need more affordable homes for the residents who live and work in our community.

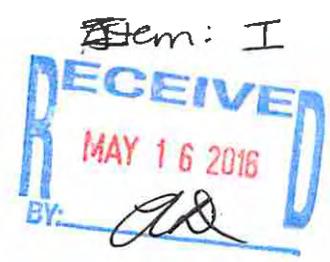
Please give these concerns your most importance, as you are the county council and looking out for all the residents in Grand County.

Thanks so much, if you would like to contact me for questions or have anything that you would like to discuss. You can reach me at

(435) 719-6567 or email me at [merritt@moabrealestate.com](mailto:merritt@moabrealestate.com)

Sincerely yours,  
**LuDean & Mike Merritt**  
**1820 S. Murphy Lane**  
**Moab, UT. 84532**

Karen Feary  
P. O. Box 208, Moab, UT 84532  
(2033 Plateau Circle)



May 16, 2016

Grand County Council  
125 E. Center Street  
Moab, UT 84532

RE: Agenda Item I, Arroyo Crossing Rezone and Master Plan

As stated in my earlier letters, I am very concerned about this proposal. I understand that the rezone to MFR-8 is inevitable. However, the Arroyo Crossing development is an extreme effort to infill this area with more dense development. I feel this is an exercise of how to cram the most housing units in a small area with no regard to the landscape. It is not flat.

With the proposed 220 housing units, in order for the local population to afford to buy or rent these units, there would need to be at least two incomes in each unit. That means 440 extra people and cars in this small area—an area that is rural in character and culture.

Consequently, there is a need for a traffic study to determine the current use and how the additional 440 cars would impact the area. Spanish Valley Drive in this area is one of the narrowest stretches of road.

Also, there is a strong concern about the drainage issues in this area. There is a slope to the land so all drainage from the top of the proposed development to the bottom just above Pack Creek is prone to flooding during storms. Thus the name “Arroyo Crossing” is appropriate. The area has been known to flood even with existing vegetation and cryptobiotic soil. With paved surfaces, the flooding could intensify.

In the Staff Report, item 7 on page 5 mentions that the applicant would be required to connect into Vista Grande Drive for the eastern portion. The roads in this proposed development would have sidewalks, curbs and gutters. Vista Grande Drive does not have these upgrades, and the road itself is narrow. Also mentioned in item 7 is an additional ingress/egress to the development would be required to accommodate the large number of units in the western portion of the development. The road in Plateau Estates that would have the least impact on the residents is Plateau Road (formerly known as Budweiser Lane). All roads in Plateau Estates are narrow and do not have sidewalks or curbs. Filtering traffic onto Plateau Road would eliminate some of the traffic concerns of the residents. There are children living on all roads in this subdivision.

I would also like to emphasize that any development in this area exclude any housing units designated as short term rentals (nightly, weekly or second homes). Most of the new construction happening in and around Moab cater to short term rentals.

Thank you for your attention and consideration.

Late

P.1

MAY 17<sup>th</sup> 2016

TO THE GRAND COUNTY COUNCIL

CONCERNING THE PROPOSED REZONE ORDINANCE: I AM OPPOSED TO THE REZONE BASED UPON A NUMBER OF ISSUES -

- ① DRAINAGE WILL BE GREATLY INCREASED AT THE PROPOSED DENSITY. THE PROPERTY CURRENTLY CAUSES FLASH-FLOOD EVENTS WHICH WILL BE GREATLY EXACERBATED BY STRUCTURES + PAVEMENT.
- ② TRAFFIC CONGESTION ON SPANISH VLY. WILL OCCUR, INEVITABLY CAUSING A HUGE INCREASE IN TRAFFIC ON STARBUCK LANE, WHERE I LIVE. THE OVERNIGHT RENTAL BUSINESS MY NEIGHBOR TO THE EAST RUNS HAS ALREADY CAUSED SUCH IMPACT ON THIS LITTLE DEAD-END STREET. RIM-VILLAGE TYPE TRAFFIC GRID-LOCK IS A REAL POSSIBILITY.
- ③ SEWAGE IS ALREADY MAXED-OUT. HOW MANY MORE HOMES CAN BE ADDED INTO THE SYSTEM PRIOR TO COMPLETION OF A NEW PROCESSING FACILITY?

- ④ WALKING TRAILS IN THE AREA HAVE BEEN ON AERIAL PHOTOS SINCE THE 50'S, AS I RECALL. A LARGE NUMBER OF PEOPLE, MYSELF INCLUDED HAVE USED THE AREA FOR DECADES. WHAT PROVISION IS TO BE INCLUDED FOR THAT KIND OF TRAIL-USE?
- ⑤ A LOT OF WILDLIFE USE THAT CORRIDOR FOR SURVIVAL, AND WILL PROBABLY BE SEEN AS PROBLEMATIC & KILLED AS A RESULT OF DENSE DEVELOPMENT
- ⑥ UNTIL THERE IS A FIRM, WRITTEN COMMITMENT TO AFFORDABLE HOUSING, THERE IS NO GUARANTEE THIS PROPERTY WILL ACTUALLY BE DEVELOPED AS NOW PROPOSED. IS IT NOT POSSIBLE THAT, ONCE THE REZONE PASSES, THE PROPERTY COULD BE RE-SOLD TO ANOTHER DEVELOPER WITH OVERNIGHT RENTALS IN MIND?

IN CONCLUSION, I MUCH PREFER LIGHT INDUSTRY TO FILL-IN THAT AREA IN THE COMING YEARS, INSTEAD OF MULTI-FAMILY RESIDENTIAL.

THANKS FOR YOUR CONSIDERATION - GAYLE HUSTON  
1981 STARBUCK LN

Dec. 14, 2015

Grand County Council,

Regarding the proposed rezone of property from Large Lot Residential to Multi-family residential, located at 2022 Spanish Valley Drive.

I am not sure if this will be voted on Dec.15; I think not as it is not on the website agenda as of today, Dec. 14. I heard that during the Planning Commission meeting the developers' representative threatened to drop the project if a decision wasn't made soon. This is a huge zone change and should be given careful consideration; it will affect our community for a long time into the future. It shouldn't be made quickly because of a threat or for any other reason.

I do have a general comment regarding zone changes. I realize there is a housing shortage in Moab and Grand County. However, I am against any changes in zoning to increase housing density above current zoning levels until the county, and the city, come up with an aggressive plan to enforce all rules restricting overnight rentals. Further, any areas granted increased density should automatically disallow any overnight rentals. Homeowners surrounding these re-zoned parcels are heavily affected and shouldn't be punished further by tourist traffic. Current homeowners renting overnight illegally should be heavily fined. This enforcement and limiting of overnight rentals will improve quality of life in Moab neighborhoods, and, even more importantly, will greatly increase housing for locals.

Thank you for your service time to our county.

Mary Moran

1991 W Highland Dr

Moab, UT 84532

**KaLeigh Welch**

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**From:** Suzanne Lewis [slewis9154@icloud.com]  
**Sent:** Monday, December 14, 2015 6:20 PM  
**To:** council@grandcountyutah.net  
**Subject:** Rezone of 38 plus or minus acre parcel Spanish Valley Dr

Dear Council Members,  
I am Suzanne Lewis, Realtor with Arches Real Estate Group and neighbor to this proposed development.  
This piece will inevitably be developed. I think this is a well thought out project.  
However I have some concerns:

**TRAFFIC on Spanish Valley Drive**

Spanish Valley Drive is narrow, winding and inadequate for heavy use. Adding 200 some homes will overwhelm the road without major improvement.

**DRAINAGE**

The Planning Commission meeting regarding this development brought real concern for existing drainage issues and the impact on neighboring Properties with the further development.

**AFFORDABLE**

There must be a mechanism to guarantee that affordable housing does not turn into housing out of the reach of Moab's workers. Unfortunately we have seen this increase in prices in other Moab "affordable " projects.

**IMPACT**

The neighborhood has a rural feel.  
It is not wise to change the quiet nature of small farms , large lots and big trees with out a mitigating , careful plan to minimize the loss of that way of life.

All that being said , I think this development can be planned and executed carefully and be a successful addition to our community.

I urge you to consider these factors as you move forward and attach requirements to the approval process.

Thank you for your consideration .

Sincerely,

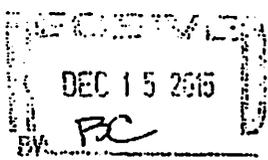
Suzanne Lewis  
505 No Main St (Mailing)  
260 2658

Sent from my iPhone

*Michael Rivette*  
*Donna M. Rivette*

December 14, 2015

Michael and Donna Rivette  
1860 Plateau Circle  
Moab, Utah



Grand County Council  
125 East Center Street  
Moab, UT 84532

ATTN: Council Members

Reference Re-Zone Arroyo Crossing, 2022 Spanish Vly. Drive, Moab, UT

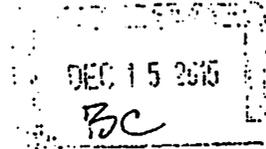
Acceptance of this project as approved by the Grand County Planning Commission potentially changes my surrounding neighborhood.

*Water Usage W.M. Become a Problem w/ this Population Density!*  
Roads are not able to handle additional Travel safely.

More density within this area is not in our best interest and living structure.

Thank you for re-consideration.  
NOT ENOUGH WATER !!

December 10, 2015



Grand County Council

125 East center Street

Moab, Utah 84532

Honorable Council Members,

This letter addresses the Grand County Planning Commission, Public Hearing held December 9, 2015 regarding ZONE CHANGE and Re-Zone Master Concept Plan for specific development, Arroyo Crossing, 2022 Spanish Valley Drive.

The County Planning Commission's approval of the zone change and Master Concept Plan will be presented to you at the next scheduled Grand County Council meeting.

It is our belief that our comments and the multiple comments of others in attendance were not in favor of rezoning this parcel.

Discussion of the project was not particularly negative; however, increased density to this area was NOT acceptable. The number of dwellings would double. Vehicle traffic would intensify. Population of this magnitude would more than change the rural neighborhood setting.

The project was presented as mid-income. Several comments were made by those attending, regarding the need for affordable housing; none of which supported this development.

Drainage is still a huge issue! As we understood, it will be dealt with in the 20% open-space theory.

The Developer stated this to be a phased project, timeframe dependent upon Moab City sewer repairs, etc. but it was necessary to get hurried approval at this time.

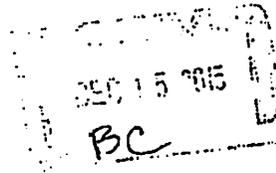
Thank you.

Respectfully,

Lloyd and Linda McKinney

(435)259-7587

December 14, 2015



Grand County Council  
125 East Center Street  
Moab, UT 84532

ATTN: Council Members

Reference Re-Zone Arroyo Crossing, 2022 Spanish Vly. Drive, Moab, UT

Acceptance of this project as approved by the Grand County Planning Commission potentially changes my surrounding neighborhood.

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Roads are not able to handle additional Travel safely.

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More density within this area is not in our best interest and living structure.

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Thank you for re-consideration,

*William H. Starbuck*

December 15, 2015

2015  
BC

Grand County Council  
125 East Center Street  
Moab, UT 84532

RE: Re-zone for Arroyo Crossing development. 2022 Spanish Valley Drive, Moab

I feel this proposed development is not appropriate for the area. I live on Plateau Circle and would be directly impacted by having the increased traffic and activity.

The density will provide many problems for the surrounding residences and businesses.

The width of Spanish Valley is barely wide enough for two cars and does not provide safe travel for bicyclists. Having the additional traffic on Spanish Valley will be unsafe for any pedestrians and bicyclists. Having the round-about in the middle of the road would necessitate considerable widening of the road for that whole area.

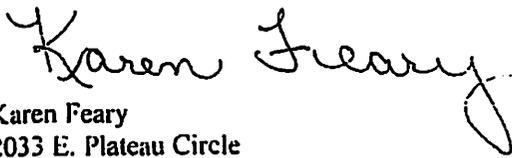
In looking at the map, it appears there is only one entrance/exit each for the development on both sides of Spanish Valley. Considering the density of the buildings and population, that is not adequate. A lot of traffic would be using Resource Blvd. to access the highway. It is not wide enough to accommodate that volume of traffic and the businesses in the area will be impacted.

There would be a need for additional infrastructure including gas, sewer, and electrical service to the area. There is also a slope to the land that would necessitate adequate drainage. With the additional pavement in the development, much of the runoff could impact the residences. I have seen flash floods come through the area and where areas have washed out. It also appears that the development on the north side of the road borders or is in the flood plain. There is a plan for open space toward Pack Creek but may not be adequate for high water flow.

I am also concerned about the provision of additional fire and medical services for the area. Having an additional 220 residences could put an impact on the services currently being provided.

**PLEASE consider denying the request to rezone this area for high density development. If it is to be developed, the density should be no more than 100 residences.**

Sincerely,



Karen Feary  
2033 E. Plateau Circle  
P. O. Box 208  
Moab, UT  
435-201-0209  
kfeary@msn.com

**From:** Ruth Dillon  
**To:** Bryony Chamberlain  
**Subject:** FW: Carmichael and Arroyo Crossing rezoning applications  
**Date:** Monday, December 21, 2015 5:27:49 PM

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B, pls save this in the agenda folders for both of the applications:  
Carmichael / directly east of Arena (Jan. 5)  
Arroyo / at Resource Blvd (Council public hearing should be in Jan. I'm guessing as this has already been heard by Planning Commission)

**From:** Mike Duncan [mailto:mikeduncan@cidink.net]  
**Sent:** Sunday, December 20, 2015 8:48 PM  
**To:** Elizabeth Tubbs; Rory Paxman; Mary McGann; Lynn Jackson; Chris Balrd; Jaylyn Hawks; trooperball@hotmail.com  
**Cc:** Ruth Dillon  
**Subject:** Carmichael and Arroyo Crossing rezoning applications

Dear Council,

This letter (apparently) bounced using [council@grandcounty.net](mailto:council@grandcounty.net) ??AARGH\*\*\*; thus the use of individual accounts.

Re the Carmichael and Arroyo Crossing rezoning applications:

While I am and have been a member of the Grand County Planning Commission for seven years, I write to express my private opinion.

Two requests:

- Consider that you may be **creating a Moab suburb, call it South Moab**, stretching from the present south city limits out to Rim Village, which does not conform to the General Plan.
- Consider **requiring access to Highway 191** from these two subdivisions to mitigate traffic on Spanish Valley Road, despite likely objections from the applicants.

If you approve the RR to SLR upzone (20 acres and as many as 100 homes) request for the Carmichael property just north of Rim Village, you will create a Moab suburb of SLR (or denser) density that will ultimately stretch all the way from Rim Village to south city limits. This does not conform to recommendations of the Future Land Use Plan of the 2012 General Plan, which stipulates dense zoning closer to town.

Recall that Planning Commission and Council denied a similar SLR upzone request for a 17 acre parcel in the same general area a year or two ago. You can be sure the applicants of that parcel will soon be back if the Carmichael application is approved. This time I venture that the **Planning Commission cannot deny them**, despite expected vehement objections of the neighbors – they won't look so much like a spot zone and can certainly argue the character of the neighborhood has changed.

**Then the floodgates will be open.** As an example, consider that you are about to see (in two

weeks) still another larger upzone request, Arroyo Crossing, 40 acres and about 230 homes according to the present master plan, also on Spanish Valley Drive.

I do not object to this rezone, since it largely resides in a MFR overlay district of the Future Land Use Plan closer to town. However, in both cases (Carmichael and Arroyo Crossing), I would like to see **entry/exit to Highway 191**, in addition to dumping considerable traffic on beleaguered Spanish Valley Road, especially subject to choke points where it joins Mill Creek Drive and thence again where Mill Creek Road intersects 4<sup>th</sup> East and a subsequent problematic dogleg to 3<sup>rd</sup> South. This may require purchase by the applicants of right-of-ways. **I would like to see you defer approval of the Arroyo Crossing Master Plan** until this major issue (and several others raised at the Planning Commission hearing) has been addressed. The applicant will probably argue that there is plenty of time to address these issues, but my experience has shown that large issues should be tackled before expensive commitments are made.

Regards and thank you again for your service,  
Mike Duncan  
579 Rosetree  
Moab  
259.0246

December 26, 2015

Saxon Sharpe  
2726 Calle Puentes Rd.  
Moab, Utah 84532

Dear Grand County Council,

I am writing in opposition to the proposed zoning change on the 20-acre parcel at 3552 Spanish Valley Drive from rural residential to small lot residential. I attended the County Planning Commission meeting on November 11, 2015, when the proposed change was discussed. The County planning staff made the strong and logical argument that rezoning this parcel was not consistent with the 2012 Grand County General Plan and the Future Land Use Plan.

An upzoning change here would set a dangerous precedent. This zoning change would signal all owners of acreage that their properties could also be upzoned. Arguments for the zoning change seem to be limited: that there is already high density and commercial use (Rim Village, Arena, camping park) nearby and that the owners want to upzone to allow affordable housing. These are not strong arguments. If this property is upzoned using weak reasoning, there is no excuse not to upzone other properties in the future.

Additional reasons for not granting this zoning request exist.

1. This property is far south of Moab City and infilling should occur first within or near the city limits, as consistent with the General Plan.
2. There is no guarantee (and no way to guarantee) that smaller, lower cost homes would be built on this parcel to help alleviate our housing crisis. Once rezoned, the developer could develop the property in any manner consistent with the zoning requirements. Density could increase from 20 units to up to 150 units on this property.
3. The traffic would substantially increase on Spanish Valley Drive. How many more trips per day could this zoning change create? No traffic study has been done by a professional traffic engineer based on various alternative development scenarios. This is an important consideration. I ride my bicycle past this property regularly. I have seen equestrians, joggers, and parents pushing baby strollers using this section of road. The road is already busy, with most cars driving considerably above the speed limit. Increased traffic will make an already dangerous situation worse.
4. Residents and nearby property owners should have some degree of certainty that the zoning ordinance and General Plan will be followed.

Thank you for your consideration.

Sincerely,



Saxon Sharpe

**From:** Council  
**To:** Rory Paxman; Mary McGann; Lynn Jackson; troonerball@hotmail.com; Javyn Hawks; Elizabeth Tubbs; Chris Baldi; Zacharia Levine; Mary Hoffine; Ruth Dillon; Diana Carroll; Bronvy Chamberlain  
**Subject:** FW: Up-zoning  
**Date:** Monday, December 28, 2015 10:30:51 AM

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**From:** Carol Mayer [mtwcarol@earthlink.net]  
**Sent:** Monday, December 28, 2015 9:38 AM  
**To:** Council  
**Cc:** city-council@moabcity.org  
**Subject:** Up-zoning

**Council Members:**

I would like to register my opposition to the current issue regarding proposed zoning changes on city and county properties on Spanish Valley Drive.

I am not versed in Real Estate Law or Zoning Rules and Regulations but I do not believe there should be any re-zoning/up-zoning done in the County or City Limits until:

1. The governing bodies of BOTH the City of Moab and Grand County can work together and agree on a cohesive and creative plan that includes guarantees via deed restrictions, CC & R's, etc., providing equitable percentages of long term affordable housing for home/condo sales and resales within the current (and future) developments that would benefit from the higher densities.
2. The current USGS (I believe) survey of actual aquifer water availability for the valley (versus paper availability) is completed. Once we know the facts about water in/under our valley, and as a community (city and county) decide how water resources should be managed for the long term, we should not make decisions promoting unabated growth of the region.

I am hoping both governing bodies can step back, pause, consider all options, create new pathways to new solutions if necessary and make accurate, insightful decisions that would benefit the broadest range of citizenry in our valley. It is time to consider the bigger pictures, the broader strokes, the greater good for all in these changing and challenging times.

Thank you for your service to the place we all call 'home'.  
Carol Mayer  
444 Rosetree  
Moab

**From:** [KaLeigh Welch](#)  
**To:** [Chris Baird](#); [Elizabeth Tubbs](#); [Javyn Hawks](#); [Ken Ballantyne](#); [Ken Ballantyne](#)  
([kballantyne1@grandcountyunivah.net](mailto:kballantyne1@grandcountyunivah.net)); [Lynn Jackson](#); [Mary McGann](#); [Rory Paxman](#)  
[Ruth Dillon](#); [Bryony Chamberlain](#); [Zacharia Levine](#); [Mary Hoffine](#); [Diana Carroll](#)  
**Cc:**  
**Subject:** FW: Please pass to all Grand County Council members: proposed rezone of 2022 Spanish Valley Drive  
**Date:** Tuesday, December 29, 2015 8:54:02 AM

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**From:** Brian Parkin [<mailto:himself@brianparkin.com>]  
**Sent:** Monday, December 28, 2015 2:25 PM  
**To:** KaLeigh Welch  
**Subject:** Please pass to all Grand County Council members: proposed rezone of 2022 Spanish Valley Drive

Brian Parkin  
3411 S. Creekside Lane  
Moab  
UT 84532

(435) 259 0700

December 28th, 2015

**Re: A proposed Rezone of property from Large Lot Residential to Multi-family residential, located at 2022 Spanish Valley Drive**

Dear Grand County Council Member,

I am writing to ask you to support the Grand County General Plan and the Grand County Planning Commission and deny the application to rezone the property located at 2022 Spanish Valley Drive.

**Chapter 4: Future Land Use Plan** of the Grand County General Plan zones the above property as Rural Residential (map, page 81) and there is no reason to rezone the property. The General Plan already has provision for affordable housing units in Rural Residential zones on page 66 as follows:

*"This designation accommodates agriculture and single-family residential uses (1 dwelling unit per acre base density and up to 1.6 dwelling units per acre with a 50% open-space set-aside or fee in lieu and 25% affordable housing units or fee-in-lieu)."*

The Grand County Council should deny this rezone application for three reasons:

1. Grand County already published comprehensive zoning maps and guidance in the Grand

**County General Plan 2012.**

**2. The application is being made by the current landowner and not a developer of residential accommodation.**

**3. The rezone of this property would encourage subsequent application from Rural Residential landowners to rezone their properties.**

**The signal you give to the residents of Grand County is vital to the future of this property and all property in Spanish Valley.**

**Stick to the General Plan 2012 zoning maps and guidance.**

**Deny this application for rezoning.**

**Yours faithfully,**

**Brian Parkin,**

**Spanish Valley resident, Grand County taxpayer, Grand County voter**

**From:** Council  
**To:** Brony Chamberlain  
**Subject:** FW: Rezone from Large Lot Residential to Multi-family residential, property located at 2022 Spanish Valley Drive  
**Date:** Tuesday, December 29, 2015 3:05:13 PM  
**Attachments:** Rezoning Spanish Valley property located at 2022 Spanish Valley Drive.pdf

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**From:** marian boardley [projects@marianboardley.com]  
**Sent:** Monday, December 28, 2015 3:19 PM  
**To:** Council  
**Cc:** KaLeigh Welch  
**Subject:** Rezone from Large Lot Residential to Multi-family residential, property located at 2022 Spanish Valley Drive

To Whom it May Concern:

Please find attached a letter regarding the rezone application of property from Large Lot Residential to Multi-family residential, located at **2022 Spanish Valley Drive**

Thank you for your attention,

Marian Boardley  
(435) 210 1199



This email has been checked for viruses by Avast antivirus software.  
[www.avast.com](http://www.avast.com)

Marian Boardley  
3411 S. Creekside Lane  
Moab, UT 84532

(435) 210 1199

December 28th, 2015

Re: Proposed rezoning of property located at 2022 Spanish Valley Drive, Moab, UT  
from Large Lot Residential to Multi-Family Residential.

Dear Grand County Council Member,

I am writing to ask you to uphold the Grand County General Plan and the decision of the Grand County Planning Commission and to **DENY** the application to rezone the property located at 2022 Spanish Valley Drive.

I understand that the current owners of the aforementioned property wish to have approved a rezoning of the land prior to selling the property for development. I object to this rezoning and believe the Grand County Council should deny this rezone application for several reasons:

1. Grand County already published comprehensive zoning maps and guidance in the Grand County General Plan 2012. The Grand County Council and Planning Commission spent many hours in consultation with voters and other public commenters to produce the General Plan. The reason we have this plan, in part, is so that the County is consistent when granting planning applications that are free of bias and influence from special interest groups. I am opposed to attempts to circumvent the General Plan for individual gain, or based on potential community benefits (namely, "affordable housing") that are already provided for in the Plan.

From the 2012 General Plan Update:

(<http://www.grandcountyutah.net/DocumentCenter/Home/View/200>, accessed 12/28/15)

*"The General Plan is an officially adopted policy document that establishes the county's goals for the future and provides direction for decisions affecting the use and development of land, preservation of open space, transportation systems, partnerships with other organizations, economic growth and the expansion of public facilities and services. Citizens provided the policy direction articulated in the General Plan through extensive and broad-based participation. Citizens can use the General Plan to protect the qualities that brought them to their community, such as open space, views, drinking water protection, economic opportunities and community character. Property owners and developers can use the General Plan as a guide to predict what uses could occur both on and near their properties, allowing them to make informed land-use decisions."*

2. Chapter 4: Future Land Use Plan of the Grand County General Plan zones the above property as Rural Residential (map, page 81) and there is NO reason to rezone the

property. The General Plan already has provision for affordable housing units in Rural Residential zones on page 66 as follows:

*"This designation accommodates agriculture and single-family residential uses (1 dwelling unit per acre base density and up to 1.6 dwelling units per acre with a 50% open-space set-aside or fee in lieu and 25% affordable housing units or fee-in-lieu)."*

3. The application is being made by the current landowner who is not a developer of residential accommodation. The current owner will have no control over the developer once the property is sold. Commitments made by the current owners to the Council to develop the property for the benefit of low- or middle-income families may not be honored by the persons who eventually develop the property for residential use.
4. Allowing a rezone of this property might encourage subsequent application from other Rural Residential landowners to rezone their properties for higher density use than the Plan allows. The Plan is intended to avoid spending more public time and money to regulate land use acre-by-acre. This is why we have zones.
5. The proposed housing density may significantly increase traffic use on Spanish Valley Drive (which provides access to the land in question). Currently the road is poorly marked, has no center stripe, and is prone to flooding at times of high rainfall.

The Grand County Planning Commission upheld the provisions of the General Plan when rejecting the rezone, and I ask all Council Members to support that decision, regardless of any personal opinions they may hold about the suitability of certain parts of Spanish Valley for higher density development because of proximity to Rim Village, the Spanish Trail Arena, and related county facilities.

The decision you make will give a signal to all the residents of Grand County and is vital to the future of this property and all property in Spanish Valley.

**Please stick to the General Plan 2012 zoning maps and guidance. Deny this application for rezoning.**

Yours faithfully,

Marian Boardley.

Full-time Spanish Valley resident; Grand County taxpayer; Grand County voter.

County Council Members,

12/30/2015

Re: Zoning change request for 3552 Spanish Valley Dr.

Continued research (into the zoning request for 3552 Spanish Valley Rd) has been very enlightening. We would like to make sure the County Council has the opportunity to consider what we have learned.

According to the county FLUP, the above parcel is not in an area deemed desirable for high density housing. The owners of the parcel are requesting a zone change to SLR which could increase density 5 fold. The SLR zone does not require developers to submit a master plan.

Now allow me to shift your attention for a moment to the "Arroyo Crossing" project near Resource Blvd. This project will be requesting MFR zoning. The MFR zone does require a master plan. The process required to obtain MFR zoning and approval of a master plan allow the county significant input, influence/control over the development itself. This is the process that is currently on-going with the "Arroyo Crossing" project. This process can provide significant assurance that the development will include truly affordable housing.

The "Arroyo Crossing" project will encompass just under 40 acres and the developer is willing to include affordable housing units in his master plan. We want to emphasize that the on-going creation of this master plan involves Zacharia and THE DEVELOPER. The "Arroyo Crossing" project is located approximately 2 miles north of the property at 3552 Spanish Valley Dr. This location is well within the portion of the valley designated in the county's plan as desirable for high density affordable housing. Council members with interests in supporting a "quick jump start" on affordable housing should be very interested in this project.

According to Zacharia Levine the property at 3552 Spanish Valley Dr. is not eligible for a zone change to MFR. So, at the present time, the county has no assurance that a zone change to SLR would result in the building of affordable housing. Once the tract is zoned SLR, a developer could choose to build 50 or 60 McMansions instead. We feel that this possible outcome would constitute sacrificing the rural character of our neighborhood for no higher purpose. Once this is done, it cannot be undone & it sets a very negative precedent. One domino falls into the next and so forth.

We ask that the council deny this zoning change. If the council decides that the best interests of the county will be served by re-zoning this 20 acre parcel, then why not require the developer him/herself to go through the process of requesting the zone change? If the goal is to encourage affordable housing, and the only assurance is to be a handshake, then we ask that the developer be required to show up, look all of you in the eye, and request the zoning change. The job of deciding who can be trusted to keep their word on such an important issue should rest on the shoulders of this council.

The Carmichaels can offer their property to anyone they desire. The developer/buyer can ask for a purchase agreement contingent upon a zoning change. This should not have a prohibitive effect upon the owners' ability to sell. It would also allow the people's elected officials to retain as much control/influence over the development as possible.

Thank you for your consideration of these suggestions. Bonita & Ken Kolb- 3649 Kerby Lane

**From:** gten  
**To:** Council  
**Subject:** 2 zone changes one good one bad  
**Date:** Friday, January 01, 2016 10:04:00 AM

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Dear Grand County Council,

I am writing in regard to 2 different zone changes in Grand county. The first one is located at approximately Resource Blvd and Spanish Valley. This will be one of the largest developments in Moab with over 200 homes. There is some concern about this development but I would rather see one big development rather than a number of small ones. This zone change fits in with the Master Plan but I have concerns with how the property will be developed. 200 homes will add a huge amount of traffic to Spanish Valley. At the planning commission traffic issues were raised but the developer said they would do traffic studies "later." I really think before there is a zone change granted we need to see more concrete site plans as to traffic flows. The focus of this project has to be toward Resource Blvd so that people would be more likely to drive to town on the highway rather than Spanish Valley.

A second concern is that the planning commission raised was the issue of affordable housing. There is nothing compelling the developer to do affordable housing but the Planning commission said that in return for the rezone they would like to see some small amount of affordable housing. At first the developer said of course but when the planning commission suggested that a deed restriction be placed on a portion of the property as a guarantee the developer said they just didn't have time. Well it only takes 5 minutes to file a deed restriction. I didn't like the way they acted when pushed on the issue. They obviously have no intention of doing anything.

The planning commission can only send a yes a no recommendation to the council but I would hope that you will review this zone change in more detail. We are doing this developer a big favor so to speak by granting this change. They can at least give us something in return.

My second zone change concern is over the Carmichael property. This plan does not fit with the Grand County Master Plan. Arguments have been made that Rim Village which is next store is a high density development but that zone change was done prior to the new Master Plan. If we grant the Carmichael's a zone change then we might as well just forget about the master plan because every adjacent property owner from the Carmichael's to the county line will say, did it for them why not me. It will be just a row of dominoes falling.

I trust that you will spend some time and review my concerns.



**From:** marcia\_tendick  
**To:** Council  
**Subject:** ArroyoCrossing rezone  
**Date:** Wednesday, January 05, 2016 1:03:39 PM

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January 6, 2016

To members of the Grand County Council:

I am very concerned about what I understand was a recent decision by the county planning commission to rezone the pieces of land on Spanish Valley Drive between Plateau Circle and Resource Blvd. to much smaller parcels. From what I have been able to learn thus far, it would seem that the population of a fairly small area of land would increase exponentially, forever changing the character of this somewhat rural area. Why does there need to be such a large increase in the number of parcels planned and onto much smaller lots? How will that impact zoning for those of us living in the vicinity?

Also a big concern is the huge increase in traffic this will mean on both Spanish Valley Drive and, I would think, on Plateau Road and Starbuck Lane. I didn't see any approach that would come via 191 except, perhaps, the Resource Blvd. road – which would be another nightmare! If this development becomes a reality, there should be a requirement that a walking and biking lane be added on both sides of Spanish Valley Drive.

A third issue is how this will affect drainage in the area, (which I can't believe hasn't been part of the deliberations.) Arroyo Canyon is a large drainage area for that portion of land. How could houses be built there?

Thank you for considering these issues.

Marcia Tendick

**From:** Council  
**To:** [Chris Baird](#); [Elizabeth Tubbs](#); [Jaylyn Hawks](#); [Ken Ballantyne](#); [Lynn Jackson](#); [Mary McGann](#); [Rory Paxman](#)  
**Cc:** [Ruth Dillon](#); [Zacharia Levine](#); [Diana Carroll](#)  
**Subject:** FW: Affordable Housing  
**Date:** Tuesday, January 12, 2016 9:20:51 AM

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**From:** William Love [mailto:[sombra@frontiernet.net](mailto:sombra@frontiernet.net)]  
**Sent:** Saturday, January 09, 2016 7:39 PM  
**To:** Council; [city-council@moabcity.org](mailto:city-council@moabcity.org)  
**Subject:** Affordable Housing

**Please Distribute**

The County and City are giving away valuable incentives on lands that are the most valuable for affordable housing and receiving vague and unenforceable promises in return.

The worst example is the MFR zone increase. This land east of the National Park Offices was set aside with an overlay zone that provided increased density, if the developer provides the county with certified affordable house. The increase in density in the current MFR will be worth tens of thousands of dollars to the developer, and the county will receive meaningless unenforceable promises that new owners can ignore. This MFR zone increase is a developer dream.

Promises made by developers who refuse to give a guarantee to build certified affordable housing are meaningless.

Bill Love

**From:** Bryony Chamberlain  
**To:** Chris Baird; Elizabeth Tubbs; Javyn Hawks; Ken Ballantyne; Lynn Jackson; Mary McGann; Rory Paxman  
**Cc:** Diana Carroll; Zacharia Levine  
**Subject:** FW: Spanish Valley re-zone  
**Date:** Tuesday, January 12, 2016 9:54:06 AM

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**From:** Elizabeth Tubbs  
**Sent:** Tuesday, January 12, 2016 9:37 AM  
**To:** Bryony Chamberlain; Ruth Dillon  
**Subject:** Fwd: Spanish Valley re-zone

Sent from my iPad

Begin forwarded message:

**From:** Bruce Dissel <brucedissel@hotmail.com>  
**Date:** January 12, 2016 at 8:37:13 AM MST  
**To:** "etubbs@grandcountyutah.net" <etubbs@grandcountyutah.net>  
**Subject:** Spanish Valley re-zone

Ms. Tubbs,

My wife and I are against spot re-zoning in the county. Changing zoning every time an owner or developer asks makes a sham out of the zoning process. Further there is no guarantee that there would be ANY affordable housing built once the parcel sells (The present owners stated intent).

Please stand up for planning and zoning in Grand Co by voting against this re-zone.

Bruce Dissel

Barb Lacy

moab, UT.

**From:** Ruth Dillon  
**To:** Council  
**Subject:** FW: Arroyo Crossing-No Urbanization of Resource Blvd./Spanish Valley Dr.  
**Date:** Tuesday, January 12, 2016 5:11:50 PM

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**From:** Gigi Love [mailto:lovecha@hotmail.com]  
**Sent:** Tuesday, January 12, 2016 1:29 PM  
**To:** Ruth Dillon  
**Subject:** Arroyo Crossing-No Urbanization of Resource Blvd./Spanish Valley Dr.

Dear Ruth,

My husband and I just bought a home last year at 2112 Buena Vista Dr. which is directly across the street from this proposed development area. We greatly object to having a low income subdivision across the street from our home. We spent 2 years carefully searching for a home with Rachel Moody, our realtor.

We specifically choose this area for the quality of life we wished to enjoy into our retirement years. This is a life we envisioned free from the hustle and bustle of main street traffic, street lights, building and chaotic noise, and all the elements that come with suburbia.

I strongly recommend spreading out the growth rather than urbanize Resource Blvd. and Spanish Valley Drive. The building ought to reflect the pursuit of quality of life we selected when purchasing that far out of town, rather than in town.

This would be a huge blow to our hopes and dreams of a future retirement in Moab.

I have been a part of the Moab community for over 20years. All I ever dreamed of was to own a home, and that dream came true last year-finally. Please make adjustments to create this development of housing in a reasonable way that supports our desire to have open space, peaceful living, and low traffic on every level.

We have enough to deal with since to Razors came to town last year, and this would only make our area of Spanish Valley drive busier and would surely take away from the quality of life we envisioned when we purchased our \$350,000 home and property in Sept of 2014.

Sincerely, Charlene Love Nicholson and Peter Nicholson

2112 Buena Vista Dr.  
Moab, Utah 84532  
970-426-9475

# Agenda Item: T

**From:** Harvey DeWitt  
**To:** Council  
**Subject:** comment on MFR-8 rezone and master plan (Arroyo Crossing)  
**Date:** Sunday, January 17, 2016 6:27:26 PM

To: council@grandcountyutah.net

January 16, 2016  
Grand County Planning Commission  
125 E Center Street  
Moab, Utah 84532

RE: MFR-8 rezone and master plan (Arroyo Crossing)

Planning Commission Members and Staff:

I own the property just south of Resource Blvd., adjacent to the proposed Arroyo Crossing Project at 2260 Spanish Valley Drive.

This proposal is for a very high density of dwellings that will change the character of the local community in a big way. I do not believe many of the current residents are in favor of such a major and fundamental change. I am against it for the following reasons:

There are not enough ingress and egress routes for additional traffic associated with this development. Already, there has been an incredible increase in traffic on Spanish Valley Drive including the recent trend of rental UTV's traveling in large groups. The rise in traffic volume along Spanish Valley Drive is a direct result from construction and new homes/condos further south in the valley. And there are more developments being considered (further south) which will add even more traffic. All of these projects should be considered as a whole when they use the same road.

Merging onto HWY 191 from Resource Blvd. is a challenge now, (especially during tourist season) without additional traffic. I believe a project such as this needs more than one egress route and it should include a direct link to a major highway such as HWY 191 with a merging lane. Otherwise, all traffic is forced to use Spanish Valley Drive.

I am not against low income housing, but I don't believe this is the proper place for it. I suggest that the Planning Commission conduct a study of traffic patterns of Spanish Valley that considers all the proposed developments, including Arroyo Crossing. Look at impacts on residents such as noise pollution, additional night lights, and other quality of life issues.

Will more traffic affect the many activities that use Spanish Valley Drive such as bike races, foot races, jeep safari, etc. that bring people here for the ambiance of a small beautiful town? When is enough, enough? We can destroy the thing that we love if we are not careful.

But even better, I support keeping the lot size to 1 acre and I oppose the zoning change.

Harvey DeWitt  
2260 Spanish Valley Drive  
hdewitt@gmx.com

# Agenda Item: t

**From:** Brad Ross  
**To:** Council  
**Subject:** Proposed rezoning and development of 38.95 acres at 2022 Spanish Valley Dr.  
**Date:** Monday, January 18, 2016 8:03:35 PM

Dear County Council members:

As a neighboring property owner on Spanish Valley Drive, I would like to express my concerns about the proposed rezoning of 38.95 acres at 2022 Spanish Valley Dr. This area is currently zoned for one-acre single family, residential dwellings. This zoning is, in my mind, quite consistent with maintaining the aesthetics, cultural sensitivity, congestion, and development needs of the area. Rezoning to allow over 200 family units on less than 40 acres will greatly mar the beauty of the area, create the potential for unplanned traffic congestion, diminish the integrity of the area for tourism, and devalue the nearby land areas.

The application promotes the development for its benefit to the area, however I feel that this type of development will detract from the visual impacts that bring people to Moab in the first place. The proposal calls for buildings that will be 28 feet in height, which will clutter the landscape and degrade the beauty of the area.

I am also very concerned about the huge traffic increase that will occur on a roadway that is frequent host to running races, bicycle tours and races, jeep safari parades, and more. Adding over 200 family units will undoubtedly increase traffic significantly. I understand the applicant is being required to provide a traffic plan; however, I haven't seen anything in the application thus far. Has the county developed a roadway plan that allows for development of this area, especially development of this size and impact?

I purchased a small tract next to this area approximately 5 years ago. I have been working to improve the area with hopes of building a home there in the near future. Knowing that the area could be developed for large-tract, single-family housing, I was not concerned about my investment. However, this change in zoning and the subsequent high density housing does not fit in at all with the vision I have had for my property, nor maintaining the value of my investment.

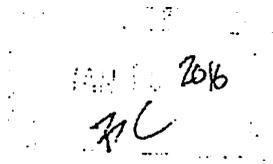
For the concerns and reasons listed above, I would like to state that I am opposed to allowing this parcel to be rezoned and am asking that you consider maintaining the area as the original zoning was indicated.

Thank you for your consideration.

Brad Ross  
55 Woodhaul Dr.  
Delaware, OH 43015-5112  
Owner of Parcel #56,957-G at 2240 Spanish Valley Dr., Moab, UT 84532

Grand County Council  
125 E Center St.  
Moab, UT 84532

Agenda Item T



19 January 2016

Dear Grand County Council,

Regarding the re-zoning of the Arroyo Crossing (2022 Spanish Valley Drive):

There is no denying that Moab is in dire need of affordable housing, and no doubt that the Arroyo Crossing area will be developed for residential purposes. Even still, there does need to be care taken in how to go about developing the Arroyo Crossing area. I see two primary issues with the proposed subdivision as it relates to traffic patterns, and one issue as it relates to occupant density.

Firstly, I have noticed on the developer's map that there is a proposed roundabout on Spanish Valley Drive networking the neighborhoods on both sides of that road. Spanish Valley Drive is a major thoroughfare linking Moab all the way out to Pack Creek and beyond. Unfettered traffic through Spanish Valley is very important to most people in the extended Moab community. Furthermore, a number of bicycles use Spanish Valley, either as commute to town or to Resource Blvd, and other areas of business, or as part of the La Sal loop bicycle route. The hindrance of a roundabout is not appropriate on such a road, nor does it seem necessary.

Secondly, the proposed Arroyo Crossing neighborhood does not appear to have an outlet onto 191 so all traffic will be routed either on Spanish Valley, Starbuck Lane, or Resource Blvd. For my part, I can assure the council that both Starbuck Lane, and Resource Blvd, have a decent amount of pedestrian traffic. The increased traffic on the surrounding streets will tremendously disrupt the residents of the surrounding neighborhoods and prove to be a substantial burden.

Lastly, while Moab is in desperate need of affordable housing, large scale condos and apartment complexes four miles from the center of town hardly seems like the solution to our community's housing problem. Furthermore that type of housing is drastically out of step with the surrounding neighborhoods which boast large lot sizes and open spaces. Neighborhoods like this scream sprawl. A problem for cities with poor urban planning. This should hardly be an issue in a small, rural town like Moab, even as we grow.

The issue of residential density is compounded by the poor traffic pattern planning. I urge the council to not approve the proposed Arroyo Crossing development as it is currently presented.

Sincerely,

Hannah Russell

Grand County Council  
125 East Center Street  
Moab, UT 84532

016  
BC  
January 14, 2015

ATTN: Grand County Council

Re: Re-zoning of the Arroyo Crossing (2022 Spanish Valley Drive, Moab, UT):

I am writing in regards to the proposed zoning change of Arroyo Crossing from Large Lot Residential to Multi-Family Residential. I have lived on Spanish Valley Drive adjacent to the proposed development from 2009 – 2011 and on nearby Plateau Circle from 2014 - present. My understanding is that this specific zoning change could increase the number of properties on this parcel from 100 units to 220 units. While I understand the need for affordable housing, I feel that this zoning change at this density would be incompatible with the surrounding neighborhoods for three reasons: density, traffic congestion, and potential for nightly rentals.

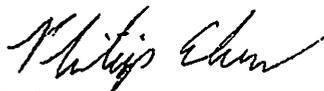
First, a major point of concern for me is the inconsistency in density in relation to the neighboring community. Lot sizes along Spanish Valley Drive and adjacent Plateau Circle and Buena Vista Drive areas are large. While a zoning of small-lot, single family properties would increase density, it is the inclusion of 62 townhomes and apartment complex that is blatantly incongruous with the neighborhood. The re-zoning of the Arroyo Crossing area to high density housing with an apartment complex, townhomes, and small single family lots is not suitable for the surrounding neighborhoods on Spanish Valley Drive, Plateau Circle, and Buena Vista Drive.

The increased traffic and lack of access to Highway 191 is my secondary concern. The road system, as constructed, cannot adequately accommodate the influx of 220 residences with limited access to Highway 191. Unlike high-density developments located further south in Spanish Valley, which are directly linked to the highway, the proximity of this re-zoning to Moab is such that it lacks direct access to the highway via South Plateau Road, thus channeling traffic through existing rural residences. Those that prefer to connect to the highway would likely pass through Starbuck Lane and Plateau Circle. It seems likely that Spanish Valley Drive could become the preferred route to town; however, it lacks a bike lane from this development to the confluence with Murphy Lane, and therefore, poses a safety hazard from increased traffic to those traveling by bicycle or foot. The increased traffic imposed upon the surrounding residential streets will tremendously disrupt the residents of the surrounding neighborhoods and prove to be a substantial burden.

Lastly, a neighborhood of this magnitude will inevitably include a substantial number of nightly rentals, as is the case in Coyote Run, Rim Village, and other condo complexes. This negates the issue of affordable housing. While regulating this kind of activity may be difficult, facilitating in the re-zoning that encourages this type of development is not in the interest of Grand County and its residents. Some of the benefits of living in areas zoned Large Lot Residential is open space, lack of light pollution, and diffused traffic patterns. The proposed Arroyo Crossing subdivision, as approved, will seriously infringe upon the existing nature of the surrounding community.

I ask the Council to please prohibit the increase in density from the re-zoning of the Arroyo Crossing subdivision. It is most assuredly not in the interests of Grand County and residents adjacent to the proposed development.

Thank you for your consideration,



Philip Adams  
2021 Plateau Cir.  
Moab, UT 84532

TO: County Council  
Grand County Utah  
25 E. Center St.  
Moab, UT 84532

RECEIVED  
JAN 13 2016

FROM: Keith and Michelle Gall  
PO Box 3  
Calumet MI 49913

RE: Proposed rezoning request for Arroyo Crossing Development Plan

Dear Council Members,

My husband and I are owners of a parcel adjacent to the western edge of the proposed Arroyo Crossing development.

When we personally discovered and fell in love with Moab, we searched for and bought our property with the intention of building our retirement home on it. Approval of this rezoning request would destroy most of the reasons we have for wanting to do so- loss of the privacy that the current zoning would ensure, and for the marvelous views, particularly to the east, which would be occupied by high density apartment buildings. We bought knowing the zoning of our land and that in the immediate vicinity, and to jump from LLR to the most dense option of MFR seems most extreme and would ruin all of the adjacent LLR that surrounds the proposed development on three sides.

Additionally, the plan appears to not comply with elements of the Grand County General Plan and the Grand County Land use code.

First, it exceeds the maximum allowable 50% of townhouse and multifamily residential units required by 5.4.1(c) of the Code. The proposal calls for 122 multi units and 98 single family lots.

Second, there doesn't appear to be Project Boundary Buffers as required by 5.4.1(b).

As to the General Plan, I am aware that it is advisory, but it was obviously developed at great expense and with a lot of public input and planning. This proposed development is contrary to Section 4.1 of the Future Land Use Plan, in that our property and that proposed to be developed has been designated as "Residential Infill" in the FLUP. That limits to no more than 3.2 single family dwellings per acre, and 50% open space set-aside.

In closing, my husband and I go on the record as vigorously opposing the proposed change in zoning.

Thank you for your consideration,

Michelle Gall

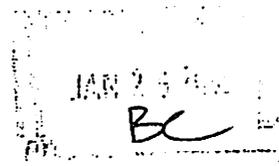


1-13-2016

Karen Feary  
P. O. Box 208, Moab, UT 84532  
(2033 Plateau Circle)

January 25, 2016

Grand County Council  
125 E. Center Street  
Moab, UT 84532



**RE: Re-zone request for Arroyo Crossing development, 2022 Spanish Valley Drive**

First, I want to express my concern on the process of requests for re-zoning and new development. I did not know about the preliminary presentation before the Planning Commission. I found out about it after the presentation and only by an e-mail received from one of my neighbors. I did track the notices and attended the public hearing at the County Council meeting last Tuesday (January 19) to discuss the request for a change in zoning for the Arroyo Crossing proposed development. There is a period of public comment due by February 1. I am submitting this letter as a response to the meeting and additional information. After February 1, what is the next step? I want to be sure I am involved in future considerations.

After the meeting on January 19, I am still very concerned about several items. First, the concern about the initial proposal of putting 220 units on 39 acres. That amounts to approximately 440 cars, and 440-500 people. All of the traffic will be entering/exiting onto Spanish Valley Drive; a narrow 2-lane road with no shoulder. Re-zoning to this intensity is not the best plan for this site.

Secondly, as the name indicates, there is an arroyo in the proposed area and there is an issue of drainage. Right now, there is a high level of cryptobiotic soil that helps defuse some of the water from rain storms. However, as pointed out, there are several culverts to help with the drainage. As some of the land owners adjacent to the proposed development indicated, they have already had issues with flooding and I think there will be more flooding with all the paved surfaces. The proposed retention ponds in the open space will not be adequate.

Third, my concern is a lack of some of the units identified for low-income housing. They have indicated that the additional housing will help with the middle-income housing needs. However, the immediate need is for low-income housing to help with the seasonal employment needs.

Please let me know what the next step is.

Sincerely,

Karen Feary  
kfeary@msn.com

JAN 26 2010  
BC

Dear Council members and Community,

Please view the accompanying page. It is my understanding that Horrocks Engineers, retained by Grand County produced this document about Storm Drain Master Plan. The Buena Vista Detention Pond is a NO Build zone indicated by the red.

I also must share history about the development of Buena Vista neighborhood. My own home was built (by the previous owner/builder) over the property line. Adjacent property owners, Linda and Lloyd McKinney, had to hire an attorney to resolve the matter. Another neighbor at 2251 Spanish Valley Dr had a similar situation. The Buena Vista house could not be built unless it had that extra footage. This neighbor did not fight it, settled for a few thousand dollars. Essentially my neighbors lost to development. The Arroyo Crossing development concerns me as far as building upon the Detention Pond.

Susie Taylor and John Odgen at 1949 Spanish Valley Drive has had sewage rise up out of a manhole cover onto their land. I have submitted a GRAMA form from Grand Water and Sewer to validate this story. I have not yet received the report. It is important information because as the sewage flow stands, with all of the ties into the conveyance past Arroyo Crossing from Spanish Valley use, it appears the system has heavy demand and can function improperly without adding 220- 270 more units with the proposed zone change at 2022 Spanish Valley Drive.

In addition, Grand County settled on the overlay for this Spanish Valley Drive property in 2012. I would have more confidence about this project if Grand County had been preparing for it in those years by updating the sewer lines, creating acceleration lanes from Resource Blvd or E San Jose Rd onto Hwy 191 North.

The home projects are comparable to Portal Vista housing on 400 North. The largest lot in Portal Vista sold for \$110,000 18 years ago. Today a 3 bedroom in Portal Vista is selling for \$239,000. Still seems steep price wise for moderate income housing, unless the county means to accept the apartments as affordable. In addition, I have attached photos of parking. More parking is to be planned for Arroyo crossing to keep parking off of sidewalks and streets. It is a shame to take away the zoning of 2022 Spanish Valley Drive, in a place where backyards could be enjoyed off of the traffic of Hwy 191. Something this tight packed would be suited for a Hwy 191 address, where people will be inside more and likely working 3- 5 jobs and hardly home to even enjoy home.

The zone change is not an intelligent decision. The county shall share the responsibility of crisis that result from matters laid out here in combination with the developers of this project. There is a need for development of this type. The infrastructure is lacking when the county had time to prepare for it.

Michele Hill  
435-259-5884

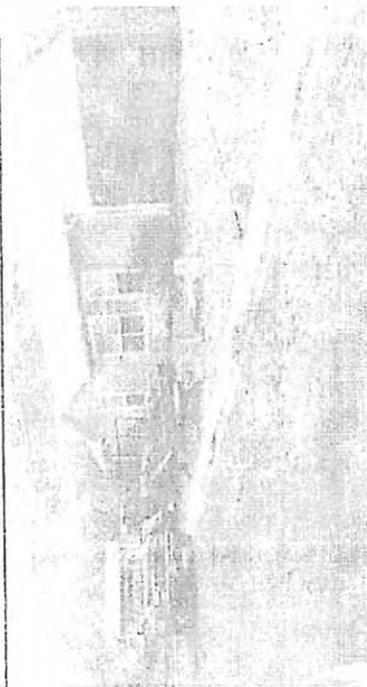
Portal Vista has sidewalks. Cars park on the sidewalks.

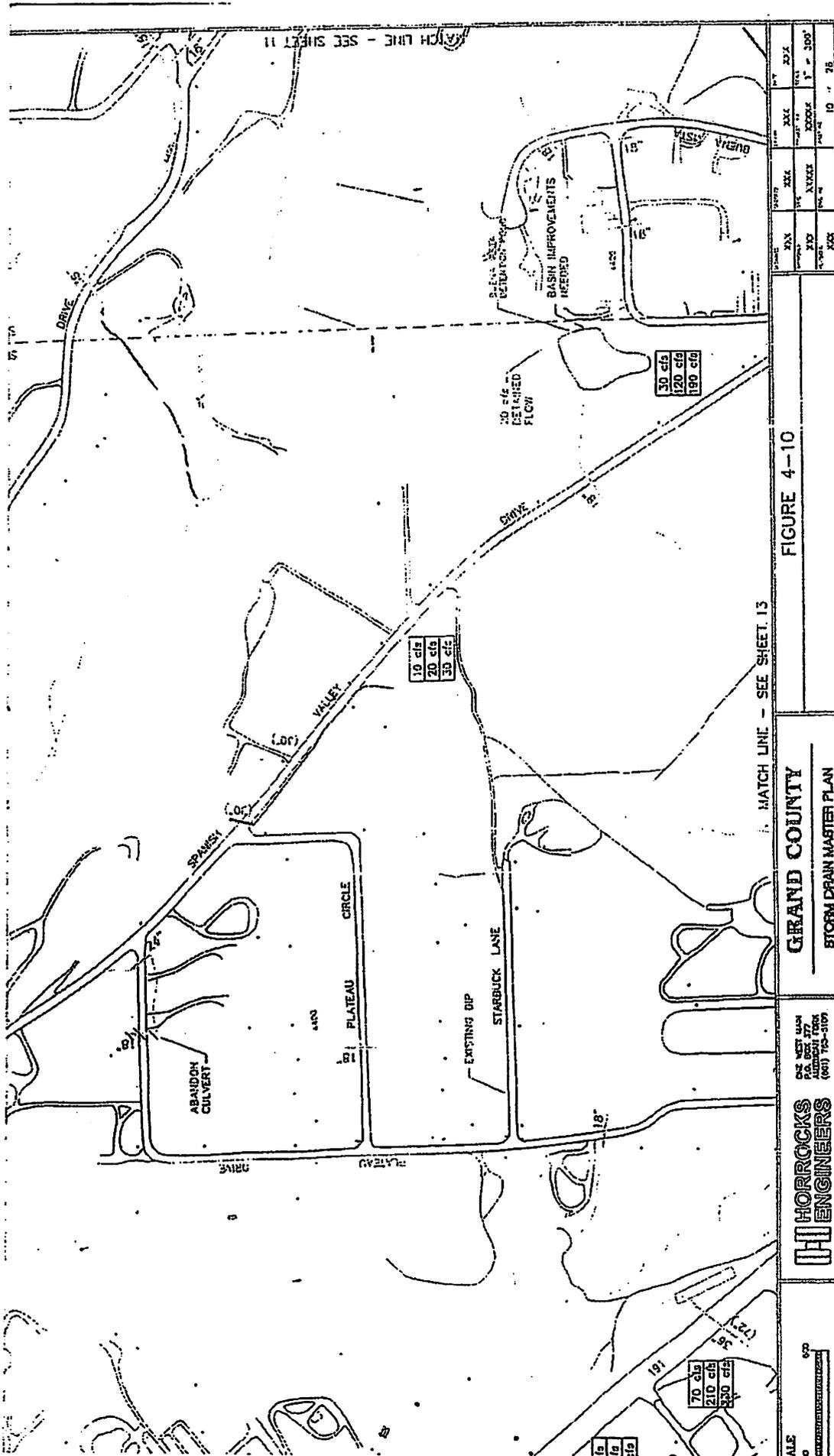


This Portal Vista - plan more land for parking.



Portal Vista - this 3 bedroom with garage is on .1 acre & for sale for \$239,000 according to realtor Becky Leftwich.





DATE	BY	SCALE	NO.
		1" = 300'	10

ONE WEST MAIN  
 P.O. BOX 377  
 GRAND COUNTY  
 (303) 752-1100

**GRAND COUNTY**  
**STORM DRAIN MASTER PLAN**

**H HORROCKS**  
**ENGINEERS**

DATE	BY	SCALE	NO.
		1" = 300'	10

Late

**From:** Bob-Margie Read  
**To:** Council  
**Subject:** Reject Arryo Crossing Re-Zone Request - Assured Housing Policy  
**Date:** Thursday, January 28, 2016 2:50:58 PM

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Please **Reject** the Arryo Crossing Master Plan at this time. All developers must be required to provide an Assured Housing Policy in their master Plan, but the county council must do their job first.

This Assured Housing Policy must be a well thought out policy and plan to make sure that Grand County and Moab has a strong Affordable Housing for our future. We are at a Major Crossroads on this issue.

Please take the time to read the following New York Times article on the situation in Vail, CO and Jackson, WY and you will get the gist of my thinking and where I feel Spanish Valley will be if the Grand County Council fails at this time to provide the proper planning on Affordable Housing to insure our future.

<http://nyti.ms/1SGqnrE>

Best Regards,

Bob Read  
195 E 100 S  
Moab, UT 84532  
530-306-5648  
bread1@comcast.net

assured housing policy that requires a certain percentage of new development is deed-restricted

Late

**From:** Janet Buckingham  
**To:** Council  
**Subject:** Arroyo Crossing Subdivision Comment  
**Date:** Thursday, January 28, 2016 10:45:17 AM

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January 28, 2015

Dear County Council:

I am writing with concerns about the zone change for the Arroyo Crossing area.

I appreciate the work the Planning Commission has done on reviewing this project and I have read it carefully. In concept, it's a good idea. It sounds thoughtfully planned out, attractive and apparently in concert with the MFR overlay district. All good.

My concerns are similar to those I expressed on the Carmichael rezone. All we really have here is an ambitious, pretty plan. There is nothing in writing that can guarantee that affordable housing is an important component of this plan. There is nothing that legally binds the developer to comply with Grand County's affordable housing needs before a rezone is granted. Granting a rezone to anyone without legal guarantees is irresponsible.

Other concerns are similar to the objections I had on the Carmichael rezone; however, the issues are magnified because of the enormous size of the PUD. The traffic impact to Spanish Valley Drive would be nearly catastrophic. Adding approximately 230 households to traffic driving to and from town and recreation sites would add impossible burden to Spanish Valley Dr. The road needs to be improved with shoulders, trails, and appropriate drainage BEFORE rezone or any large development is approved. Speed limits need to be rigidly enforced. Ingress and egress to somewhere other than Spanish Valley Drive needs to be developed. The potential traffic study has not been completed nor addressed and addressing it after rezone is unacceptable.

The fact that the relationship of the proposed development to existing properties has not been addressed is also unacceptable. It should matter very much to the County how a giant subdivision of this nature impacts an existing neighborhood. The drainage problem in the proposed Arroyo Crossing needs to be addressed and solved before any rezone takes place. My understanding is that properties in the Buena Vista subdivision on the east side of Spanish Valley Drive already have huge problems with water runoff. Please attend to existing problems before you

potentially create new ones.

I certainly recognize the need for affordable housing in Grand County, but I really have to ask you if you believe that building \$200-250,000 homes is the correct way to solve this problem. I haven't spoken to anyone who believes that this kind of development will really address the affordable housing emergency we are experiencing. We need rentals first. We need more developments like Cinema Court either in town or in proximity to bike paths so people can easily get to work. We need to work on ordinances that allow tiny home developments that hospitality workers might actually be able to afford. As I mentioned before, there are approximately 32 houses on the market around the \$200-\$250,000 price range and they are not selling. What sense does it make to flood the market with another two hundred homes that won't sell? People have to qualify for loans and have a down payment to purchase a home. And it really should matter what happens to the property values of existing homes in Grand County. Is it really a good strategy to flood the market with homes and completely crater the value of existing homes? I'm troubled by county staff that have said the desired outcome is to lower the price and value of all property in Moab. That may be okay for folks who have no plans to ever sell or move, but not everyone who moves here plans to stay forever or life situations force them to move away. Existing homeowners need to be able to sell their homes without taking huge losses.

I have a fear that the council will want to approve this rezone simply because the Carmichael rezone failed and you feel you need to do something – *anything* – to address the affordable housing issue and settle down the noise in the community. I understand the tendency to want to do that, but please, please do not approve this rezone without addressing the traffic, the improvement of Spanish Valley Drive, the drainage problems and obtaining a *legal guarantee* that affordable housing comes first.

Thank you for your service to our community.

Regards,

Janet Buckingham

Moab, UT

Late Agenda  
Hem: K

January 29, 2016

Grand County Council  
125 East Center Street  
Moab, Utah 84532

RE: RE-ZONE REQUEST OF PROPERTY - Arroyo Crossing, 2022 Spanish Valley Dr.

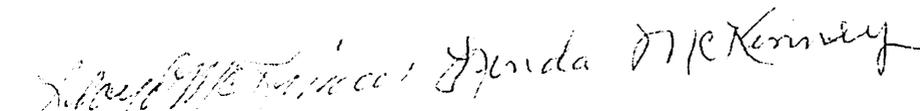
Honorable Council Members,

We wish to document, for the record, opposition to this re-zone request for increased density.

- 1) The surrounding area is predominately zoned: LLR.
- 2) There has been voiced and written opinion against the requested zone change.
- 3) Increased populace could essentially double, impacting present infrastructure capacity and capability.
- 4) Potential drainage and flood events.

We thank you for your diligent community service and consideration of this issue which will affect us directly.

Respectfully,

  
Lloyd and Linda McKinney (435)259-7587

Hand Carried

**From:** [reedl@citlink.net](mailto:reedl@citlink.net)  
**To:** [Council](#)  
**Subject:** Arroyo Crossing Re-zoning  
**Date:** Sunday, January 31, 2016 2:01:37 PM

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Please consider before Tuesday's vote:

- 1) The owners did buy this parcel knowing the zoning regulations.
- 2) 200 units seems like a large number of units. Especially since I can not really think of who the 200 local families who are going to buy these. Seems like another place where out-of-area investors are going to profit. Can't there be a compromise? I know it is being changed from large lot family to multi-family - but is that the only choice. Small lot family perhaps.
- 3) Grand County really does need to create a new PLAN for our area. Get all the stakeholders involved to figure out how we want our county and Moab to be, especially for those who have decided to call this place home (despite the economic hardship it sometimes imposes on us). It surely is starting to feel as if those outside of our town are having more influence on what happens here with development. Groups such as KLH Development should not get to come in build whatever they want to make whatever profit they want. They don't have to live with any of the consequences that my neighbors and I will have to live with if this doesn't turn out to be a great thing. I get that lots of people out of Moab want to have a piece of it, but I am really sad seeing all these homes/buildings going up everywhere that are only partially lived in. But oh how crazy would it be if all the homes here were lived in year round. What a nightmare for Grand Water/Sewer and the traffic we would be stuck with.

Thank you. Laura Reed (2138 Buena Vista Drive)

P.S. I read the article in the paper this week and was very pleased with the discussions that everyone is taking into consideration.

**From:** Lisa Paterson  
**To:** Council  
**Subject:** Arroyo Crossing Rezone  
**Date:** Monday, February 01, 2016 11:30:46 AM

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Dear County Council Members.

I appreciate the time and effort that you are giving to the rezoning questions that have come before you. Today I ask that you carefully consider the following points as you determined whether to grant Arroyo Crossing a zone change from large lot residential to multi-family residential. I oppose this zoning change unless the following can be GUARANTEED.

Please require the following be provided by the developers in writing and be binding.

\*\*There is no guarantee that these developers will indeed build houses that will alleviate Moab's affordable housing needs. Please require and enforce deed restricted homes in this subdivision. This must to be spelled out clearly: how many homes will be deed restricted & at what price. Shellenberger says the developers will put a certain percentage of homes in the \$200-240,000 range (which is already above what are county development office says is affordable to the essential workers-\$195,000.)

\*\*There must be a guarantee that these affordable homes **CAN NOT then by RESOLD** by new owners at market value. Without this guarantee, these homes can then be sold and resold at market value which removes homes from affordable/essential workers pool forever.

\*\* Please consider the traffic burden this development will place on Spanish Valley Drive. Traffic studies state and average of eight vehicle trips per dwelling. I assume this means for round-trip journeys. Given this info, there will be potentially 800 to 1000 more vehicles traveling on Spanish Valley Drive. Keep in mind that this is not the only development currently planned/ being built on Spanish Valley Drive and Mill Creek Drive. This is a residential area and cannot bear the traffic that 200 more homes will create. Please require that ingress and egress be encouraged through the Highway 191.

\*\*Drainage!! A clearly defined and independently evaluated drainage plan must be submitted before you approve this kind of density. Pack Creek has already exhibited signs of flooding due to greater development to the south. Arroyo Crossing must retain all of its run off water!

Again, I very much appreciate the consideration that you give to the zoning questions that come before you.

Sincerely,

Lisa Paterson

Lisa Paterson Coaching

Gently Held, Deeply Seen  
<http://www.lisapersoncoaching.com/>

**From:** L. L. Houck  
**To:** Council  
**Subject:** ARROYO CROSSING Development Proposal  
**Date:** Monday, February 01, 2016 11:06:03 AM

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Dear Grand County Council,

Please take the time to investigate in detail the potential impacts of this huge development proposal, and to share this information with the citizens of Grand County, before making a hasty decision regarding density zoning and deed restrictions and the other concerns.

At the Council meeting on January 19, there were about 20 agenda items, with the Arroyo Crossing presentation scheduled lastly, finally occurring at what time?

I respectfully request that such a presentation be repeated, and given for the citizens at a time and location that would allow people to offer input, comments and questions for the potential developer. Also, let's publicize this meeting with something besides a small sign on Spanish Valley Drive.

This proposed development is essentially plopping a small city in a rural zone over 2 miles from the City Center.

There are a multitude of questions that need to be addressed if this developer is serious.

The Short List:

- Infrastructure, Water and Sewer Lines
- Engineering Studies
- Drainage mediation for 50- and 100-year floodplain
- Soil studies for sinkhole potential
- Energy efficiency and solar plant
- Traffic study, for Spanish Valley Drive
- Ingress and Egress routes to Hwy.191 and Starbuck Lane and Budweiser Lane
- School bus safety and bus stop shelters
- Archaeological resource impact
- Shade Trees
- Community Center
- Community Garden space
- Fire Dep't. and EMT accessibility
- Overflow Parking
- Public transportation

and myriad other concerns of Grand County citizens.

We are wondering about the other projects of KLH Corporation and RedAcre LLC, and exactly Who are these people? We would like to see them describe their fitness for a project of this size and scope.

Thank you for your scrutiny of all the concerns associated with this HUGE project.

Sincerely,

**Laura Lee Houck**  
**39-year resident of Grand County**

**From:** Mary Suarez  
**To:** Council  
**Subject:** KLH subdivision  
**Date:** Monday, February 01, 2016 5:31:54 PM

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Dear Council,

I would like to say thank you to Chris Baird for his stance on the KLH subdivision. I hope that this subdivision will have a variety of housing options and will be truly affordable for working people in Grand County.

However no matter what a developer says, until it is down in black and white it's not real.

Mary Suarez  
PO Box 1186  
Moab, UT 84532  
435-259-8317

**From:** [Adrea Lund](#)  
**To:** Council; [Ruth Dillon](#)  
**Subject:** Last Minute Arroyo Crossing comments  
**Date:** Tuesday, February 02, 2016 12:29:09 PM

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Dear Grand County Council Members,

I apologize for missing the deadline for public comments on the proposed Arroyo Crossing rezoning. However, I hope you can consider my thoughts. I own property that is almost adjacent to the parcel/development in question. I have many concerns regarding how the rezoning would change and impact this area of Grand County.

1) A rezoning would change the current more rural character of the neighborhood. The number of houses currently allowed without a rezoning is more than enough.

2) A rezoning would increase traffic on Spanish Valley Drive, Plateau Road and Starbuck Lane and further negatively impact the residents in our neighborhood. Before a rezoning is considered I would like to see clear plans and legal requirements for multiple direct outlets to the Hwy from the development. I walk on Spanish Valley Drive to take my son to his preschool right past the Arroyo Crossing property and we have quite a few neighbors who bike into town. Before this rezoning is approved there should be a requirement that a walking and biking lane be added on both sides of Spanish Valley Drive.

3) A rezoning and the increased level of development on the land could create major storm water drainage issues for some residents. Looking at the property it seems to me that Arroyo Crossing is aptly named - it is partly formed by a natural drainage. Arroyo – “a steep-sided gully cut by running water in an arid or semiarid region”. My neighbors and I on the north side of Spanish Valley next to the proposed rezoning already have issues with storm water drainage from Spanish Valley Drive. Before (and not after) the rezoning is approved I think these concerns should be clearly planned for and addressed.

4) It is my understanding the rezoning does not legally require affordable housing. I feel strongly that this is a mistake and I also think the county should legally require that the housing not ever be allowed to become short term rentals – our neighborhood definitely doesn't need its own Rim Village. The developer is not beholden to the draft plans that they have presented. Frankly I don't trust the developer's reassurances.

5) If a rezoning must happen then I would ask that you please don't increase housing density in an area that is not part of the Multi Family overlay. I am referring to the portion of the Arroyo Crossing property on the north side of Spanish Valley Drive. Please leave the north side of Spanish Valley Drive with the currently allowed housing density – Large Lot Residential. I am not in favor of allowing the developer to spread density from the Large Lot Residential portion of the property included in the Multi Family overlay (on the south side of Spanish Valley Drive) to the currently Large Lot Residential portion on the north side of Spanish Valley Drive that is not part

of the Multi Family overlay.

Thank you for your time and consideration,  
Adrea

Adrea Lund  
1851 Spanish Valley Drive  
Moab, UT  
435-210-4739

**From:** Lisa Carter  
**To:** Council  
**Subject:** Arroyo Crosssing Master Plan  
**Date:** Tuesday, February 02, 2016 8:59:56 AM

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Dear Grand County Council Persons and Mr Levine:

I am writing in regards to the Arroyo Crossing subdivision. I just read the Times Independent article (Jan 28, 2016) from last week and appreciated your comments and discussions. I do not think the Arroyo Crossing subdivision or any other new housing or subdivision project of this nature that requires a rezone or "up-zone" should go forward unless there is **in writing** a place that addresses the issue of affordable housing (in addition to water use, sewer impact and traffic/transportation impacts.)

Specific to deed restrictions, I agree that these should also be in writing and should include but not be limited to cost (\$200,000 for what, a townhouse, apartment, or single family home?) that really is afforable to what the median income is for a family **as well** as single persons or couples. The units should also be primary residences, not avalaible for weekly/nightly rentals and have some restrictions on resale time or price or some combination if possible.

These "restrictions" should not hamper the developers abilty to sell the "affordable units" at a "reasonable" profit if added into the whole budget for the project. They will not make as much money if the restrictions are in place, but it would speak volumes if they are truly "committed to bring something to Spanish Valley that addresses the affordable housing need."

Lastly, I agree with Mr. Levine that increasing density does not mean affordable housing will follow.

Thank you for your time and your service.

Sincerely,

Lisa Carter  
Moab Resident

**From:** [Kenneth Sassen](#)  
**To:** [Mary Hofhine](#)  
**Subject:** Statement opposing the development and rezoning of property at 2022 Spanish Valley Drive  
**Date:** Friday, January 22, 2016 3:41:43 PM

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Dear Members-

As a local resident likely to be severely affected by this massive development, I strongly oppose the development and in particular the rezoning of the eastern ~10 acres (just east of Spanish Valley Drive). I know of no local resident who thinks this a good idea in view of the certain disruptions to our quality of life, although the partial development of the western portion into affordable apartments in a relatively flat region already developed is an attractive idea. However, adding about 1,000 residents and 500 cars will create a mini-Moab in the middle of our quiet community. Specifically, there will be inevitable impacts on local traffic flow, noise, light pollution, wildlife, and most importantly on drainage issues down the noticeable slope of these 40 acres. We already suffer from sporadic flooding during thunderstorms and heavy traffic due to a constant flow of jeeps along the narrow Spanish Valley Drive in the summer. I certainly would not have bought my abutting property here if I thought such a development was even possible.

I find it unbelievable that the development plan calls for the building of 32 homes in the eastern 10 acres, which is now designated as LLR, because it entails essentially filling in a very large, deep drainage system which is in fact a unique verdant ecosystem much used by mule deer in the winter. It contains signs of Fremont Indian activities and even the ruins of a historic Mormon homestead. This development seems highly implausible, and would certainly channel flood waters through my property, my neighbors the Hills, and down into Pack Creek into an area where there is housing and ranching. It only speaks of the greed of the developers to even contemplate this part of the project. Again, it is now zoned as LLR for very good reasons.

Sincerely,

Prof. Kenneth Sassen (retired)  
1996 Buena Vista Drive, Moab

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
May 17, 2016**

Agenda Item: J

<b>TITLE:</b>	Adopting a proposed ordinance to amend Sections 3.1 and 3.2.2 of the Grand County Land Use Code (LUC) to permit a heliport at the Emergency Operations Center (EOC)
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:**  
**ZACHARIA LEVINE**  
**GRAND COUNTY**  
**COMMUNITY**  
**DEVELOPMENT**  
**DIRECTOR**

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**STATED MOTION :**

Move to adopt the proposed ordinance approving the amendments to Sections 3.1 and 3.2.2 of the Grand County Land Use Code (LUC) to permit a heliport at the Emergency Operations Center (EOC) and authorize the Chair to sign all associated documents.

**PLANNING COMMISSION RECOMMENDATION:**

Approval

**STAFF RECOMMENDATION:**

Approval

**BACKGROUND:**

The Grand County Council directed staff to initiate an amendment to the LUC in order to clarify use permissions of a heliport located at the EOC. Planning Commission, with guidance from the Community Development Department, amended the use regulations for heliports as directed. In a public hearing held April 13, 2016, the planning commission voted to forward a favorable recommendation of the referenced amendment, which permits a heliport at the EOC without permitting heliports at all government facilities carte blanche.

**ATTACHMENT(S):**

1. Draft ordinance
2. (Redline) Sections 3.1 Use Table and 3.2.2 Public and Civic Use Standards
3. Citizen Comment

**GRAND COUNTY, UTAH**  
**ORDINANCE \_\_\_\_\_ (2016)**

**APPROVING EMERGENCY OPERATIONS HELIPORTS IN THE  
HIGHWAY COMMERCIAL (HC) ZONE DISTRICT**

**WHEREAS**, the Grand County Council (County Council) adopted the *Grand County General Plan Update* (General Plan) on February 7, 2012 with Resolution No. 2976;

**WHEREAS**, the County Council adopted the *Grand County Land Use Code* (Land Use Code or LUC) on January 4, 1999 with Ordinance No. 299 and amended it February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, the residents and visitors of Grand County benefit from the presence of an Emergency Operations Center (EOC) located centrally within the County's population and recreational activity areas;

**WHEREAS**, helicopter support for life safety emergency operations, including search and rescue and aircraft medical transport, are integral to protecting the health, safety, and welfare of the residents and visitors of Grand County;

**WHEREAS**, aircraft activity taking place at the EOC is strictly for life safety emergency operations and NOT commercial aviation or "scenic flight" purposes;

**WHEREAS**, in a public hearing on April 13, 2016 the Grand County Planning Commission considered all evidence and testimony presented with respect to the subject application and forwarded favorable recommendation to the Grand County Council,

**WHEREAS**, due notice was given that the Grand County Council would meet to hear and consider the proposed ordinance Approving Emergency Operations Heliports in the Highway Commercial (HC) Zone District in a public hearing on May 3, 2016;

**WHEREAS**, the County Council has heard and considered all evidence and testimony presented with respect to the subject application and has determined that the adoption of this ordinance is in the best interests of the citizens of Grand County, Utah;

**NOW, THEREFORE, BE IT ORDAINED** by the County Council that the LUC is hereby amended to read:

## Section 3.1 Use Table

Principal Uses by Zoning District													
Use Category	Specific Use	RESIDENTIAL					NONRESIDENTIAL					Use-Specific Standards	
		SLR	LLR	RR	MFR	RG	NC	SB	RC	RS	HC		I1
Key: P = Permitted by right      C = Conditional Use Permit Required      ___ Not Permitted (Use-specific Standards and descriptions of Use Categories are provided in Sec. 3.2 and Sec. 3.4, respectively)													
	Airport and heliport, emergency operations										P		3.2.2A
	Airport and heliport, private					C							3.2.2B
	Airport and heliport, public												SEC. 4.3
Passenger Terminals	Bus station or terminal							P			P	P	
	Train Passenger Terminal					C							3.2.4N
	All other passenger terminals												

### 3.2.2 Public and Civic Use Standards

#### A. Airport and Heliport, Emergency Operations

A heliport associated with the Grand County Emergency Operations Center (EOC) shall be a permitted use in the Highway Commercial (HC) zone district. The EOC heliport shall be used strictly for life safety related emergency operations. Aircraft takeoffs and landings shall NOT be permitted if helicopter takeoffs or landings are conducted in any part for commercial travel aviation or "scenic flight" purposes.

#### B. Airport and Heliport, Private

All private airports and heliports shall comply with the standards of this section:

1. Aircraft takeoffs and landings shall be limited to the following activities:
  - a. Aviation activities conducted by or on behalf of governmental entities;
  - b. Medical, search-and-rescue, or other life safety emergency aviation activities;
  - c. Aviation activities for agricultural purposes (farming or ranching);
  - d. Aviation activities for the purpose of seismic or other oil, gas or mineral exploration;
  - e. Aviation activities for the purpose of reaching an aircraft maintenance or repair facility that is in use, and has historically been in use, at the time this section becomes effective;
  - f. Aviation activities for the purpose of maintaining and repairing public utility facilities;
  - g. Aviation activities for commercial filming purposes; or
  - h. Aviation activities in support of permitted construction activities.

2. Aircraft takeoffs and landings for commercial filming activities shall be conducted at an airport or heliport that is currently in use, and has historically been in use for such activities.
3. Aircraft takeoffs and landings at private heliports shall NOT be permitted if helicopter takeoffs or landings are conducted in any part for commercial travel aviation or "scenic flight" purposes.

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 17<sup>th</sup> day of May 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Those absent:* \_\_\_\_\_

**ATTEST:**

**Grand County Council**

\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

\_\_\_\_\_  
Elizabeth Tubbs, Chair

## Bryony Chamberlain

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**From:** William Love <sombra@frontiernet.net>  
**Sent:** Monday, May 02, 2016 8:55 AM  
**To:** Council  
**Cc:** Zacharia Levine  
**Subject:** Item J Helicopter Pad in Residential Area

Please Distribute

The residents in the area of the emergency helicopter missed their opportunity several years ago to move the landing pad. Sherriff White gave the first temporary permit for the use of the pad and he wanted to hear from local residents. Nobody called him. He then issued a long term permit.

The helicopter company could have built a landing pad at the Interagency Fire Facility in southern Spanish Valley. The company did not want to pay for the pad.

The helicopter company claimed they could not station personal at the airport for emergency service. I checked with the airport board and again no one wanted to pay for the crew quarters at the airport.

Requiring the helicopter to build a pad at the Interagency Fire Center may still be an alternative.

I have found that having an intelligent conversation with proponents of the helicopter company is very difficult. The proponents will almost always talk about the value of the service and ignore any comments on the problems with the location of the service. The conversation usually ends with neither party listening to the other.

The council needs to table any decision on the location of the helicopter until the costs of a new pad at the interagency fire center are fully reviewed.

Bill Love

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<https://www.avast.com/antivirus>

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
May 17, 2016**

Agenda Item: K

<b>TITLE:</b>	Adopting a proposed ordinance to amend Section 3.2.4G of the Grand County Land Use Code (LUC) to permit the acceptance of formation water at local disposal facilities and improve their regulation.
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:**

Lee Shenton,  
Technical Inspector,  
Community  
Development  
Department,  
259-1795

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**STATED MOTION :**

Move to adopt the proposed ordinance approving the amendments to Section 3.2.4G of the Grand County Land Use Code (LUC) to permit the acceptance of formation water at local disposal facilities and improve their regulation and authorize the Chair to sign all associated documents.

**PLANNING COMMISSION RECOMMENDATION:**

Approval

**STAFF RECOMMENDATION:**

Approval

**BACKGROUND:**

Ordinance 528-2014 amended the Subsection 3.2.4.G of the LUC by revising and augmenting conditions for operation of commercial production water disposal and recycling facilities. Revisions to Ordinance 528 that would allow processing of “formation water” (briny waste water from wells NOT used for oil or gas production) at these facilities were discussed at a public hearing during the April 13, 2016 session of the Planning Commission (PC). Immediately following that hearing, PC voted unanimously to forward the proposed updated ordinance to Council for approval.

The current Ordinance 528 allows processing and disposal only of the waste water from oil and gas wells. Due to the negligible hydrocarbon content, allowing processing and disposal of formation water reduces potential air emissions, enables business opportunities not subject to energy industry “boom-bust” cycles and would increase revenues for Grand County from volume-based monitoring fees.

Proposed revisions to LUC Subsection 3.2.4.G are as follows:

- Added references to “formation water” and replaced “production water facility” with the more general term “disposal facility” where appropriate.
- 1.c(1) Specified state agencies whose permits would be required.

- 1.c(3), 3.a-f added language recognizing limits on use of injection wells for this purpose.
- 1.g added reference to accumulated solids in Waste Management Plan.
- 1.j added reference to Division of Waste Management and Radiation Control under Referral Agency.
- 1.n added requirement to suspend commercial operations and notify Grand County in the event the BACT emission control system fails to operate properly for more than sixty minutes.
- 1.p(2) clarified billing procedure.
- 1.u, 2.c(8) and 2.e specified reporting and compliance requirements for radionuclide and heavy metal content.
- 2.a required proper operation of emission control equipment.
- 2.d(6) required separate receiving and distribution systems for “formation water.”
- 2.d(14) clarified procedures when pond-specific leak is detected.
- LUC Article 10, Definitions revised related definitions

**ATTACHMENT(s):**

1. Draft ordinance

**GRAND COUNTY, UTAH**  
**ORDINANCE NO. \_\_\_\_\_, SERIES 2016**

**PRODUCTION WATER AND FORMATION WATER DISPOSAL & RECYCLING  
FACILITIES AMENDMENT**

**WHEREAS**, the Grand County Council (County Council) adopted the Grand County General Plan Update (General Plan Update) on February 7, 2012 with Resolution No. 2976;

**WHEREAS**, the County Council adopted the Grand County Land Use Code (LUC) on January 4, 1999 with Ordinance No. 299 and amended February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision, and development in Grand County in accordance with the General Plan;

**WHEREAS**, Grand County serves to protect the health, safety, and welfare of all its citizens and visitors;

**WHEREAS**, Grand County seeks to ensure that production water and formation water disposal and recycling facilities are planned, located, designed, and operated to facilitate compatibility with surrounding uses;

**WHEREAS**, Grand County desires to adopt best management practices and regulations to provide clear guidelines and requirements for the development of said facilities;

**WHEREAS**, the Planning Commission reviewed the draft ordinance in a public hearing on April 13, 2016 and recommended approval;

**WHEREAS**, due notice was given that the County Council would meet to hear and consider this ordinance in a public hearing on May 3, 2016 and

**WHEREAS**, the County Council has heard and considered all evidence and testimony presented with respect to these amendments, and has determined that adoption of this ordinance is in the best interests of the citizens of the Grand County, Utah and that these amendments are consistent with the LUC Sec. 1.5, Purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL** that the LUC is hereby amended by the repeal and re-enaction of Section 3.2.4.G Commercial Production Water and Formation Water Disposal and Recycling Facilities to read as follows:

**3.2.4.H Commercial Production Water and Formation Water Disposal and Recycling Facilities  
("Disposal Facilities")**

**1. General Requirements**

Disposal facilities may be approved by Conditional Use Permit pursuant to Sec. 9.11, Conditional Use. Drilling muds and tank bottom waste shall not be accepted. Land Farms, as defined in Article 10, are not permitted. Disposal facilities shall comply with the following requirements:

**a. Site Plan**

A site plan shall be prepared in accordance with Section 9.17.

**b. Transportation Plan**

Selected transportation routes shall not result in a significant degradation of the level of service; "significant" shall be defined as a change in letter grade of the level of service. Where the level of service is unknown the applicant shall be responsible for the cost of traffic studies performed by a Utah-licensed engineer to establish such information. Traffic studies shall include an analysis of the traffic mix. Route selection to and from facilities shall consider the following:

- (1) Methods by which production water and formation water will be transported,

- (2) Road types, design, and service capacity, including future maintenance needs and costs,
- (3) Extent to which weather renders such roads and/or highways hazardous,
- (4) Load capacities, including during saturated inclement weather conditions,
- (5) Accident rates, to determine if proposed transportation routes are more or less hazardous than the average for similar types of roads and/or highways- the applicant shall mitigate any increased risk to such roads and/or highways, the traveling public, and any increased future maintenance and repairs costs to Grand County or the State of Utah,
- (6) Number and proximity of residences, schools, hospitals, and pedestrian routes,
- (7) Noise and traffic disruption,
- (8) Number and frequency of intersections per linear mile, or other measure as determined by Grand County during the application process, between the entrance of a facility and the nearest federal, state or county highway or road,
- (9) Where roads are inadequate, as determined by Grand County, to support the additional proposed traffic, road and/or highway improvements shall be provided at the applicant's expense, consistent with applicable County, state, and/or federal standards,
- (10) A Road Maintenance Agreement accepted and signed by the County Road Department and approved by the County Council,
- (11) Additional bonding may be required to adequately cover road maintenance costs during operation, and
- (12) A UDOT highway access permit shall be approved for each facility with direct access to a state highway. Turn lanes, frontage road(s), and curb and gutter shall be provided by the applicant if required by UDOT.

**c. Operation**

- (1) Disposal facilities shall be fully operational and have all applicable county, state, and federal permits prior to accepting production water or formation water. At a minimum, appropriate permits are required from Utah Division of Air Quality, Utah Division of Water Quality, Utah Division of Oil, Gas and Mining, and Utah Division of Waste Management and Radiation Control.  
An operational certification letter shall be issued by the Community Development Department prior to receiving any production water or formation water. This operational certification letter must document the appropriate state agency permits.
- (2) An operator shall be on site during commercial operations.
- (3) Sites shall be used solely for production water or formation water disposal, condensate holding and hydrocarbon recovery tanks, and related structures. Injection or dumping into an injection well of any class, or holding at the site, of any other substance, waste or chemical is strictly prohibited without the necessary permits and prior approval of Federal, State, and County entities.
- (3) Federal, state, and county officials shall be allowed on the premises for the purpose of conducting site visits without prior notification.
- (4) Federal, state, and county documents shall be maintained on site and made available for federal, state, and county review.
- (5) Signs providing emergency contact information shall be provided at the facility entrance and receiving areas.
- (6) The applicant shall submit information regarding the proposed facility, wildlife protection measures, and type and height of perimeter fencing to the Utah Division of Wildlife Resources. The applicant's letter and agency response shall be provided to the County.
- (7) Perimeter fencing shall be installed to keep wildlife and agriculture stock off the premises.

**d. Water Supply, Sewage Disposal, and Fire Protection**

Prior to approval the applicant shall demonstrate water supply, sewage disposal, and fire protection that is sufficient in terms of quality, quantity, and dependability for the proposed facility.

**e. Drainage Plan**

A drainage report and drainage plan, prepared by a Utah-licensed engineer, shall demonstrate compliance with Sec. 6.7, Drainage, with consideration of natural drainage and drainage during construction.

**f. Surface Discharge**

No production water or formation water shall be discharged to the ground for any purpose including construction, dust control, or agricultural use without prior written approval from the Utah Division of Oil, Gas, and Mining, the Division of Water Quality, and Grand County. No other fluids from such facilities shall be discharged onto the ground, sold for off-site use, nor allowed to contaminate waters of the U.S. without prior written consent from all applicable local, state, and federal authorities. The applicant shall provide written copies of all approvals to the County prior to commencing any such activity.

**g. Waste Management Plan**

A detailed waste management plan shall describe the plans for handling and disposal of the expected wastes to be generated as a part of facility operations. This includes such items as hydrocarbons, concentrated brine, accumulated solids, treatment chemicals, and treatment media.

**h. Reclamation Plan**

A detailed reclamation plan shall demonstrate that upon cessation of operations restoration of the site shall be completed to a condition as natural as practical, or to the site's original or other beneficial condition as approved by the County Council and consistent with Sec. 6.9.9F, Restoration. At a minimum the reclamation plan shall include the following:

- (1) Removal of structures,
- (2) Removal and disposal of remaining waste including contaminated soils and liners,
- (3) Re-grading of the site to the approximate original contour or approved beneficial condition,
- (4) Erosion control and re-vegetation of disturbed areas, and
- (5) Conformance with state reclamation requirements.

**i. Bonding**

The applicant shall be financially capable of constructing, operating, and properly closing the site, including reclamation and any required post-closure monitoring to the satisfaction of the County. Final reclamation shall be accomplished within one year of the cessation of operations.

Each applicant shall post sufficient security based on a cost estimate to be prepared by a licensed engineer and approved by the Community Development Department. The cost estimate shall include all costs associated with facility closure and site remediation. The method of security shall be approved by the County Clerk, County Attorney, and County Council prior to the issuance of a Conditional Use Permit. Such Security shall be in accordance with state requirements found in Utah Administrative Code R649-9 Waste Management Disposal. Estimates shall be recalculated every 5 years and shall account for the value of bonds held by the State of Utah for a particular facility.

**j. Referral Agency**

Applications shall be referred to such agencies and persons as the Zoning Administrator deems appropriate, including, but not limited to, the Utah Department of Environmental Quality (Division of Air Quality, Division of Waste Management and Radiation Control, and Division of Water Quality) and the Utah Department of Natural Resources (Division of Oil, Gas, and Mining and Division of Wildlife Resources) for review and comment.

**k. Notification**

The applicant shall supply a list of all property owners within a one-half mile radius of the proposed project site and an affidavit certifying that a copy of the application has been made available to said property owners.

**l. Operational Status**

Grand County shall be notified in writing at least 30 days prior to any change in ownership or operator status. Grand County shall be notified of any permit revisions, equipment upgrades or downgrades, and/or process changes integral to the operation of the facility.

**m. Technical Review**

If County staff does not have the technical expertise or the practical ability to devote the necessary time and effort for technical review, as determined by the County Council, the County may engage such additional expertise and/or consultants to assist the County and/or to provide technical review of an application under this section, including assessing the accuracy of technical reports and studies. The applicant shall reimburse the County for the cost of such assistance prior to approval of applicable County permits and before commencement of the activity. The County shall require that the applicant provide cash or equivalent security to guarantee that the costs of such consultants and expertise are borne by the applicant.

**n. Best Available Control Technology (BACT)**

Applicants shall install and operate emission control technology according to requirements of all applicable permits and orders issued by the State of Utah.

Applicants that are required by the State of Utah to provide best available control technology documentation to the Department of Air Quality shall furnish a copy of the proposed best control technology documentation to the County.

Commercial operations shall be suspended and Grand County notified within four hours any time the BACT equipment fails to operate properly for longer than one hour. In such cases, commercial operations shall not resume until the BACT equipment is operating properly.

**o. Existing Facilities**

Existing facilities shall not be deemed to be in noncompliance due to actions taken by adjacent landowners.

**p. Fees**

In addition to application fees, the applicant shall pay fees in accordance with the Grand County fee schedule as updated annually.

(1) Each disposal facility shall submit to the Office of the County Clerk a monthly summary report of barrels received by the 5<sup>th</sup> business day of the following month. Billing invoices for the monitoring fee shall be subject to a standard 30 day payment term.

(2) If the monthly summary report is not received by the Office of the County Clerk within thirty days of the due date, the Clerk shall bill the owners of the disposal facility based on the average of the twelve most-recently submitted monthly reports,

(3) Accrued Late Fees of 1.5% per month for past due balances will be billed upon receipt of the Annual Statement from the disposal facility OR on the due date of the Annual Statement, whichever is earliest.

(4) If the total barrels reported in the Annual Statement shows that less fees were due than were billed, the Office of the County Clerk will calculate the difference and issue a credit against future monitoring fees. If the total annual barrels reported in the Annual Statement shows that more fees were due than were billed, the Office of the County Clerk will bill the facility for any additional fees due, including any additional Late Fees due.

(5) Grand County may file a lien against the disposal facility for unpaid fees that are still past due on April 30<sup>th</sup> of the following year.

**q. Permit Review**

The applicant shall provide an annual statement of compliance to be reviewed by the County Council. Such statements shall include a detailed and specific report on steps taken in the prior year to comply with applicable local, state, and federal requirements and laws. This statement shall be due to the County by January 31<sup>st</sup> of each year.

**r. Permit Expiration**

If the facility has not been in operation within one year of obtaining the conditional use permit and a request for extension has not been received and approved by the County Council the conditional use permit shall expire. Additionally, if the facility shuts down at any time for a period of one year and a request for extension has not been received and approved by the County Council, the conditional use permit shall expire and site restoration shall be completed by the owner of the property or bond holder.

**s. Liability and Mitigation**

The permittee and property owner are legally liable for all environmental damage, including but not limited to health hazards, resulting from the construction, operation, use, and maintenance of any disposal facility. If such damage occurs, the county, in addition to pursuing all other remedies available to it, may summarily require the permittee and property owner to develop and implement with due diligence a mitigation plan, including requirements of state and federal agencies, to remedy all such damage. Implementation of the plan will be required regardless of whether the county also revokes the permit.

**t. Contingency Plan**

The applicant shall provide a contingency plan, including material safety data sheets, to be maintained on-site and at the appropriate offices of the emergency service providers listed below for the purpose of describing what actions shall be taken in the event of unintentional release and/or exposure. The plan shall provide, at a minimum, communications protocol, including emergency responder notification. Copies shall be provided to the following service providers: Sheriff's department, fire department(s), local hospital(s), and Emergency Medical Services (EMS).

**u. Compliance with State and Federal Requirements**

The operator shall assure through appropriate sampling, testing and controls as required by applicable permits and regulations that all conditions in state and federal permits are met. The operator shall report to Grand County Community Development within 48 hours of discovery any exceedance of the pertinent state and federal limits (as defined by EPA) for radionuclide or heavy metal content.

**2. Commercial Evaporation Pond Facilities**

In addition to complying with the general requirements of Sec. 3.2.4.H.1, commercial evaporation pond facilities for production water and/or formation water disposal shall comply with the following:

**a. Control of Air Emissions**

Facilities that do not meet the “de minimis” air quality standards, as defined by the Utah Department of Environmental Quality (Division of Air Quality), shall be required to install and operate emission control technology as specified in all applicable permits and orders issued by the State of Utah.

**b. Location**

Disposal facilities shall only be considered on sites identified on the attached map entitled “Evaporation Pond Facilities Overlay Map”. In addition the following shall apply:

- (1) Sites shall be a minimum of 40-acres in size;
- (2) No site shall be located within a mile of: an existing residence, RR, SLR, LLR, or MFR zone district, irrigated farm land, or national or state park;
- (3) No site shall be located within one-half mile of a perennial or intermittent stream, as identified by USGS, surface waters, or regulatory wetlands;
- (4) No site shall be located within a Sole Source Aquifer designated area;
- (5) No site shall be located within sight of scenic by-way Highway 128;
- (6) All ponds shall be located a minimum of 500 feet from the down gradient property line to allow additional monitoring wells to be placed on the site if deemed necessary by the Community Development Department; and
- (7) Site soil and subsurface permeability shall be less than  $1 \times 10^{-5}$  centimeters per second, to a depth sufficient to span a ten year saturation period.

**c. Baseline Data**

The applicant shall collect and submit baseline data to be approved by the Community Development Department prior to the issuance of a zoning development permit and /or building permit. Baseline air and water quality sampling plans shall be completed by an independent and state certified lab and, at a minimum, include:

- (1) Depth to groundwater,
- (2) Groundwater flow rates,
- (3) Direction of flow,
- (4) Soil and subsurface permeability to a sampling depth sufficient to span a ten year saturation period,
- (5) Wind patterns reflecting diurnal and seasonal changes,
- (6) Location of abandoned and/or active wells and surface water within a one-half mile radius of the proposed site,
- (7) Air quality sampling for sulfur containing compounds, Volatile Organic Compounds (VOCs), and hazardous air pollutants,
- (8) Water quality sampling for sulfur containing compounds, VOCs, total extractable petroleum hydrocarbons, pH, conductivity, Total Dissolved Solids (TDS), Total Suspended Solids (TSS), radionuclides and heavy metals.

**d. Operation and Safety**

- (1) Any measurable or visible layer of hydrocarbons that accumulates on the surface of an un-netted evaporation pond shall be removed daily, weather permitting.
- (2) Spray evaporation systems shall be operated such that all spray-borne suspended or dissolved solids remain within the perimeter of a pond's lined area.
- (3) Smoking shall be allowed in designated areas only and appropriate signs shall be maintained.
- (4) Signs providing emergency contact information, stating non-potable water, and warning of potential drowning hazards shall be posted adjacent to all ponds.

- (5) Ropes, ladders, and/or other means of escape shall be provided along the perimeter of the ponds to allow a person to climb out of a pond in the event of an accident.
- (6) Ponds permitted for formation water shall have separate receiving and distribution systems and shall not be used for produced water from oil and gas production.
- (7) Pits or ponds intended to have hydrocarbon products on the surface shall be netted to prevent wildlife access. Netting structures shall be constructed so that the netting is prevented from sagging into the pit fluids and perimeter netting shall extend to the ground to prevent wildlife entry. Netting shall be monitored by the onsite operator to ensure proper working order. Hydrocarbon accumulation on the surface of any netted pond shall be removed at least once each month, weather permitting.
- (8) A wildlife deterrent device, such as a "hazing canon", shall be placed on site at strategic locations to keep wildlife away from open ponds.
- (9) All ponds shall have a 2-foot minimum freeboard.
- (10) The applicant shall provide calculations demonstrating adequate on-site pond volume for emergency emptying of any pond. Facilities shall provide a written emergency repair plan that clearly indicates the procedure for emptying a pond.
- (11) The applicant shall provide for prevention of loss of any production water or formation water from the ponds via wave action.
- (12) All holding tanks for materials associated with operations shall be constructed completely above ground and within a curbed or bermed containment area to provide a volume equal to 1.5 times the largest tank volume. No open top tanks shall be permitted.
- (13) Ponds shall be double lined in accordance with state regulations. Additionally, the top liner shall be synthetic and a minimum of 60 mils thick.
- (14) If a pond specific leak is detected, the water level in that pond shall be lowered immediately below the level of the leak and the source of the leak repaired.
- (15) If contaminants are found to exceed permissible levels in perimeter monitoring wells or allowed volumes in any area of the facility are exceeded, the facility shall cease accepting new waste immediately and direct customers to another regional/state approved facility. The Community Development Department shall be notified within one working day of the occurrence and the cause shall be corrected to the satisfaction of the Community Development Department and applicable state agencies prior to resuming operations.

**e. On-going Monitoring**

The applicant shall conduct air and water monitoring as required by all applicable State of Utah permits and orders. Monitoring shall include testing for the presence and level of radionuclides.

**3. Commercial Injection Wells**

In addition to complying with the general requirements of Sec. 3.2.4.H.1, commercial injection wells for production water or formation water disposal shall comply with the following:

**a. Location**

Commercial injection wells shall not be permitted within the boundaries of the Valley Aquifer impact zone as defined in the LUC Sec. 7.10.3 (Valley Aquifer Impact Zone map) or within any sole source aquifer zone. Injection wells shall be located to ensure that Underground Sources of Drinking Water (USDWs) and surface waters are not being endangered.

**b. Underground Injection Control Permit**

The applicant shall submit copies of Underground Injection Control (UIC) permit application materials in order that the County may participate through written comment in the Utah Division of Oil, Gas, and Mining (UDOGM) permitting process.

**c. Operation and Safety**

Injection wells shall be completed, equipped, operated, and maintained in a manner that will prevent pollution and damage to any Underground Source of Drinking Water (USDW), or other resources and will confine injected fluids to the target injection zone approved by UDOGM.

**d. Monitoring**

A sampling port shall be provided post-treatment, prior to injection. The applicant shall provide continuous read Total Dissolved Solids (TDS) monitoring during pumping operations in 15 minute minimum intervals (with digital record copies of output) for each well in conjunction with daily manual water samples for purposes of comparison. The applicant shall submit quarterly reports providing TDS raw data and averages for each well displayed in a graphic format with a text summary. Access to the sampling port and the entire facility shall be provided to all regulatory agencies without prior notification.

**e. Injection Well Disposal of Formation Water**

Only permitted Class I injection wells may be used for disposal of formation water, and only with prior approval by Division of Oil, Gas and Mining. Class I injection wells may not be used for production water. A copy of such approval shall be provided to Grand County prior to beginning commercial disposal of formation water in the injection well.

**f. Injection Well Disposal of Production Water**

Only permitted Class II injection wells may be used for disposal of production water, and only with prior approval by Division of Oil, Gas and Mining. Class II injection wells may not be used for formation water. A copy of such approval shall be provided to Grand County prior to beginning commercial disposal of formation water in the injection well.

**BE IT FINALLY ORDAINED BY THE COUNTY COUNCIL** that LUC Article 10, Definitions is hereby amended by the adoption of the following definitions.

Term	Definition
Formation Water	Brines brought to the surface from subsurface geologic formations during operations NOT associated with commercial extraction of oil or gas.
Class I Injection Well	Wells defined in Rule 317-7-3 which are used to dispose wastes beneath the lowermost formation containing, within two miles of the well bore, an underground source of drinking water,
Class II Injection Well	A well used to inject brines and other fluids associated with the production of oil and natural gas as defined by the State of Utah.
Disposal Facility	For this ordinance, a centralized facility accepting production water and/or formation water and related fluids <i>not generated on site, for disposal and/or recycling.</i>
Evaporation Pond	Surface impoundment used for the purpose of containing, treating and evaporation of production or formation water.
Hazardous Air Pollutants	As defined in the federal Clean Air Act, Section 112.
Land Farming	The controlled and repeated application of drilling mud, sludge, or any other wet non-water materials from reserve pits or the drilling process to the soil surface.
Produced (“production”) Water	The brines brought up from the hydrocarbon bearing strata during the extraction of oil and gas, and can include formation water, injection water, and any chemicals added down hole or during the oil/water separation process.

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 17<sup>th</sup> day of May 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Absent:* \_\_\_\_\_

ATTEST:

Grand County Council

\_\_\_\_\_  
Diana Carroll, County Clerk

\_\_\_\_\_  
Elizabeth Tubbs, Chairperson

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
May 17, 2016**

Agenda Item: L

<b>TITLE:</b>	Adopting a proposed ordinance to amend Section 3.3.2 of the Grand County Land Use Code (LUC) to encourage additional construction of accessory dwelling units (ADUs)
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:  
ZACHARIA LEVINE  
GRAND COUNTY  
COMMUNITY  
DEVELOPMENT  
DIRECTOR**

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**STATED MOTION :**

Move to adopt the proposed ordinance approving the amendment to Section 3.3.2 of the Grand County Land Use Code (LUC) to encourage additional construction of accessory dwelling units (ADUs) and authorize the Chair to sign all associated documents.

**PLANNING COMMISSION RECOMMENDATION:**

Approval

**STAFF RECOMMENDATION:**

Approval

**BACKGROUND:**

The Grand County Planning Commission, with guidance from the Community Development Department, has identified several barriers to affordable housing in the LUC. Accessory Dwelling Units (ADUs) provide one solution to the housing affordability challenge. By encouraging infill development and efficient land use, regulations that accommodate ADUs reduce the burden of high land costs. ADUs can provide lower-cost rental options while reducing ownership costs. They can also inhibit sprawl development patterns that lead to increased traffic and infrastructure maintenance costs. The proposed amendments aim to preserve neighborhood integrity while facilitating more ADU construction. In a public hearing held April 13, 2016, the planning commission voted to forward a favorable recommendation of the referenced amendment, which aims to relax the regulations governing accessory dwelling units (ADUs) and encourage their use as an affordable housing solution.

**ATTACHMENT(S):**

1. Draft ordinance
2. Citizen Comments

**GRAND COUNTY, UTAH**  
**ORDINANCE \_\_\_\_\_ (2016)**

**APPROVING AMENDMENTS TO ACCESSORY DWELLING UNIT  
REGULATIONS**

**WHEREAS**, the Grand County Council (County Council) adopted the *Grand County General Plan Update* (General Plan) on February 7, 2012 with Resolution No. 2976;

**WHEREAS**, the County Council adopted the *Grand County Land Use Code* (Land Use Code or LUC) on January 4, 1999 with Ordinance No. 299 and amended it February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, Grand County aims to provide safe, adequate, and attainable housing for its workforce and residents;

**WHEREAS**, accessory dwelling units (ADUs) provide the opportunity for efficient land use, infill development, lower overall construction costs, increased rental housing stock, and rental income for existing property owners;

**WHEREAS**, Grand County permitted the construction of ADUs through the adoption of Ordinance 495 on November 6, 2010;

**WHEREAS**, in a public hearing on April 13, 2016 the Grand County Planning Commission considered all evidence and testimony presented with respect to the subject application and forwarded a favorable recommendation to the Grand County Council, in light of the affordable housing needs of the Moab Area community;

**WHEREAS**, due notice was given that the Grand County Council would meet to hear and consider public input on the proposed amendment in a public hearing on May 3, 2016;

**WHEREAS**, the County Council has heard and considered all evidence and testimony presented with respect to the subject application and has determined that the adoption of this ordinance is in the best interests of the citizens of Grand County, Utah;

**NOW, THEREFORE, BE IT ORDAINED** by the County Council that the LUC is amended by the repeal and re-enaction of Section 3.3.2B Accessory Dwelling Unit to read as follows:

3.3.2 Use-Specific Standards for Accessory Uses

B. Accessory Dwelling Unit (ADU)

The purpose of this section is to encourage accessory dwelling units (ADUs) as an affordable housing opportunity while protecting the neighborhood character and quality of life in residential zone districts. ADUs shall comply with the following standards:

1. Area, Setback, and Size Restrictions

- a. An ADU may be permitted as an accessory use to an otherwise allowed residential dwelling unit that is the principal use on a lot or parcel of at least 5,000 square feet. Only one accessory dwelling unit shall be permitted per lot / parcel of record.
- b. ADUs shall meet setback and building height requirements applicable to the principal structure in the underlying zone district.
- c. The maximum square footage of the ADU shall not exceed one thousand (1,000) square feet.

2. Site Plan and Design Requirements

- a. A site plan shall be required prior to issuance of a building permit. The site plan shall be drawn to scale and clearly show the location and dimensions of existing and proposed structures (including such items as building elevation, color, and materials), setbacks, parking, easements, and driveways.
- b. An ADU shall be a permanent structure that meets the currently adopted standards of the International Residential Code (IRC). No travel trailer, boat, or similar recreational vehicle shall be used as an accessory dwelling unit.
- c. ADUs shall be designed to preserve or compliment the architectural design, style, and appearance of the primary single-family dwelling unit. Specifically, whether attached or detached, the roof pitch, siding materials, color, and window treatment of the ADU shall be the same as, similar to, or an improvement to, the appearance of the primary dwelling unit.
- d. If a separate external entrance for the ADU is necessary it shall be screened from view of the street, and where possible, shall be located on the internal side or rear of the structure.

3. Occupancy Requirements

- a. ADUs shall not be condominiumized or sold separately.
- b. Where an ADU exists, neither the primary nor the secondary dwelling unit shall be occupied for periods of less than 30 consecutive days. A restricted use covenant shall be signed and recorded by the owner prior to issuance of a building permit for the accessory dwelling unit.

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 17th day of May 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Those absent:* \_\_\_\_\_

**ATTEST:**

**Grand County Council**

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Diana Carroll, Clerk/Auditor

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Elizabeth Tubbs, Chair

DRAFT

To whom it may concern

I would like to lend my support for the following changes to Grand county zoning.

1. Reducing the minimum lot size permitted to accommodate an ADU from 9,000 sq. ft. to 5,000 sq. ft.
2. Increasing the maximum size of an ADU from 800 sq. to 1000 sq. ft.
3. Removing the requirement that the property owner must reside in either the primary or secondary dwelling unit.
4. Changing the maximum height of an ADU from 28 ft. to the maximum height of the underlying zone district.

I believe these changes will go a long way to help solve our housing shortage. As a landlord in Moab I can attest to the shortage of housing that our valley needs. As I firefighter I feel this code change is needed to help prevent occupancy overload of existing dwellings. These changes put the power to solve our housing situation in the hands of the residents and landowners of grand county.

Sincerely,

Mathew Niesen  
11 year Grand county resident

Grand County Council

April 27, 2016

RE: Proposed Changes to Accessory Dwelling Unit Code 3.3.2 Use-Specific Standards for Accessory Uses B. Accessory Dwelling Unit (ADU)

To the Members of the Grand County Council,

In regards to the proposed changes to the Accessory Dwelling Unit, Code 3.3.2, etc., I would respectfully request your brief consideration of my comments. My husband and I own a home at 1936 Desert Hills Drive, with a parcel size of 1.25 acres. We are long supporters of ADU's, and hope to build a modest ADU on our property within the next 3-8 years if possible. I have three specific concerns with the proposed changes that I am appreciative of the chance to share with you:

1. Increase in size to 1,000 Square Feet. I believe this increase, while seemingly small, transforms the nature of the ADU from a secondary rental housing unit into essentially, two houses on each lot. I have long understood the concept of an Accessory Dwelling Unit to be of the nature of an apartment over the garage, a small detached home or studio, etc. Allowing a full-sized house drastically changes the concept from an ADU, to simply allowing two homes on any lot over the minimum square footage allowed.
2. I believe it is important that the requirements of dedicated off-street parking for the Accessory Dwelling Unit be clearly spelled out within the language of the Code. This concern is raised in specific response to the proposed changes regarding the increase in size (800 SF/2-3 people with cars, to 1,000 SF/4-6 or more people with cars), and removal of the property owner's "eyes on the ground" who might otherwise be assumed to help maintain off-street parking behaviors.
3. Removal of the requirement for the property owner to live in one of the two units. I truly respect and support efforts to increase our options for quality long-term housing in Moab. In this instance, however, I believe this would be an unfortunate change. It removes the incentive for current residents to improve their property and help be part of the solution. Rather, it encourages out-of-town buyers to purchase properties, construct ADU's, and in many instances rent them out for the required 30 day minimums only. If they are truly long-term rentals for our workforce, this would be a wonderful thing! However, with the ever-increasing obsession with tapping into Moab's short-term rental market that we see on a daily basis, I am highly alarmed about the ability of a non-resident to construct extra rental units on just about any property in the County. Renting properties on a 30 day basis is certainly not uncommon, and would only be allowed to increase through this change. I think working to incentivize somehow current residents' ability to construct ADU's would be an excellent alternative approach to the removal of this requirement.

I thank you very much for your time, and am grateful for the chance to share my comments with you for your consideration.

Respectfully,



Jennifer Hancewicz  
1936 Desert Hills Drive

## **Bryony Chamberlain**

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**From:** Robyn Reid <robynjreid@gmail.com>  
**Sent:** Monday, May 09, 2016 2:23 PM  
**To:** Council  
**Subject:** Proposed changes for accessory dwelling units (ADUs)

To whom it may concern :

I would like to lend my support for the proposed changes for accessory dwelling units (ADUs) as defined by the Grand county Land use code. These include:

1. Reducing the minimum lot size permitted to accommodate an ADU from 9,000 sq. ft. to 5,000 sq. ft.
2. Increasing the maximum size of an ADU from 800 sq. to 1000 sq. ft.
3. Removing the requirement that the property owner must reside in either the primary or secondary dwelling unit.
4. Changing the maximum height of an ADU from 28 ft. to the maximum height of the underlying zone district.

I believe these changes will definitely help Moab's current housing shortage.

Sincerely,

Robert J. Reid  
Grand County Property Owner

E-mail: [robynjreid@gmail.com](mailto:robynjreid@gmail.com)

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
May 17, 2016**

Agenda Item: M

<b>TITLE:</b>	Adopting a proposed ordinance to amend Section 4.4.10 of the Grand County Land Use Code (LUC) to remove open space requirements for a Planned Unit Developments (PUD).
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:**  
ZACHARIA LEVINE  
GRAND COUNTY  
COMMUNITY  
DEVELOPMENT  
DIRECTOR

**FOR OFFICE USE ONLY:**  
**Attorney Review:**  
  
N/A

**STATED MOTION :**

Move to adopt the proposed ordinance approving the amendment to Section 4.4.10 of the Grand County Land Use Code (LUC) to remove open space requirements for a Planned Unit Developments (PUD) and authorize the Chair to sign all associated documents.

**PLANNING COMMISSION RECOMMENDATION:**

Approval

**STAFF RECOMMENDATION:**

Approval

**BACKGROUND:**

The Grand County Planning Commission, with guidance from the Community Development Department, has identified several barriers to affordable housing in the LUC. The Planned Unit Development (-PUD) "overlay district" permits variation from standard lot configuration patterns in order to reduce disturbance of sensitive lands, promote land use compatibility, open space, affordable housing, and facilitate creative site planning. Since the adoption of the -PUD overlay district ordinance, several developers have utilized it to create more flexible, unique, and efficient subdivisions. However, staff has also found that the open space requirements have failed to produce any meaningful, functional, or aesthetically pleasing open space areas. In most instances, the required open spaces have turned into weed fields. More importantly, the open space requirements have inhibited the use of affordable housing density bonuses, which are also included in the -PUD ordinance, because the open space dedications counteract the increased land use efficiency associated with increased density. By removing the open space requirement, it is likely that more developers will utilize the -PUD overlay district and associated affordable housing bonus densities. In a public hearing held April 13, 2016, the planning commission voted to forward a favorable recommendation of the referenced amendment, which removes the open space requirement associated with -PUDs. \*The amended -PUD ordinance still provides for planning commission discretion in granting bonus density to developers voluntarily providing

more than 20% open space.

\*Planning commission and staff feel strongly that Grand County should create a parks and trails plan, funded through impact fees and other sources, in order to ensure residents have good access to parks, open spaces, and active transportation infrastructure.

\*Staff also recommends a close review and possible modification (increase) to the affordable housing density bonuses to further encourage the development of affordable housing.

**ATTACHMENT(S):**

1. Draft ordinance

**GRAND COUNTY, UTAH**  
**ORDINANCE \_\_\_\_\_ (2016)**

**REMOVING OPEN SPACE REQUIREMENTS FROM SECTION 4.4  
PLANNED UNIT DEVELOPMENT (-PUD)**

**WHEREAS**, the Grand County Council (County Council) adopted the *Grand County General Plan Update* (General Plan) on February 7, 2012 with Resolution No. 2976;

**WHEREAS**, the County Council adopted the *Grand County Land Use Code* (Land Use Code or LUC) on January 4, 1999 with Ordinance No. 299 and amended it February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, Grand County aims to provide safe, adequate, and attainable housing for its workforce and residents;

**WHEREAS**, Planned Unit Developments (PUDs) provide the opportunity for flexible subdivision design standards, efficient land use, lower overall infrastructure construction and maintenance costs, and affordable housing density bonuses;

**WHEREAS**, in a public hearing on April 13, 2016 the Grand County Planning Commission considered all evidence and testimony presented with respect to the subject application and forwarded a favorable recommendation to the Grand County Council, in light of the affordable housing needs of the Moab Area community;

**WHEREAS**, due notice was given that the Grand County Council would meet to hear and consider public input on the proposed amendment in a public hearing on May 3, 2016;

**WHEREAS**, the County Council has heard and considered all evidence and testimony presented with respect to the subject application and has determined that the adoption of this ordinance is in the best interests of the citizens of Grand County, Utah;

**NOW, THEREFORE, BE IT ORDAINED** by the County Council that the LUC is amended by the repeal of Section 4.4.10 Minimum Open Space and Common Area corresponding renumbering of remaining sections.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the County Council that the LUC is amended by the repeal of Section 4.4.10 Minimum Open Space and Common Area, amendment of Section 4.4.11 Open Space, Density Bonus Incentives, and corresponding renumbering of remaining sections.

**4.4.11 Open Space, Density Bonus Incentives**

A density bonus of up to 20 percent may be approved at the discretion of Planning Commission for projects providing 20 percent or more open space.

Beneficial open space eligible for the density bonus shall provide the following:

A. Open space that promotes the preservation of productive agricultural land (see Section 10.2).

B. Open space that promotes access to public lands, connections to existing or planned trails, and riparian and historic trail corridors. Such open space shall be freely accessible to the general public, and clearly identified by on-site signage. Trails shall be constructed in accordance with Section 7.4 and maintained by the mandatory homeowners association in accordance with Section 9.6.

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 17<sup>th</sup> day of May 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Those absent:* \_\_\_\_\_

**ATTEST:**

**Grand County Council**

\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

\_\_\_\_\_  
Elizabeth Tubbs, Chair

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
May 17, 2016**

Agenda Item: N

<b>TITLE:</b>	Adopting a proposed ordinance to amend Section 6.14 of the Grand County Land Use Code (LUC) to incorporate a definition of affordable housing
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:  
ZACHARIA LEVINE  
GRAND COUNTY  
COMMUNITY  
DEVELOPMENT  
DIRECTOR**

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**STATED MOTION :**

Move to adopt the proposed ordinance approving the amendment to Section 6.14 of the Grand County Land Use Code (LUC) to incorporate a definition of affordable housing, including the amendment suggested by Ben Riley, director of the Housing Authority of Southeastern Utah and authorize the Chair to sign all associated documents.

**PLANNING COMMISSION RECOMMENDATION:**

Approval

**STAFF RECOMMENDATION:**

Approval with amendments discussed

**BACKGROUND:**

The Grand County Planning Commission, with guidance from the Community Development Department, has identified several barriers to affordable housing in the LUC. A shared understanding and agreed upon definition of affordable housing is central to all future code changes and program implementation. In a public hearing held April 13, 2016, the planning commission voted to forward a favorable recommendation of the referenced amendment, which aims to provide such a definition.

**ATTACHMENT(S):**

1. Draft ordinance
2. Citizen Comment
3. (Redline) Section 6.14 Affordable Housing
4. Affordable Definition worksheet

**GRAND COUNTY, UTAH**  
**ORDINANCE \_\_\_\_\_ (2016)**

**APPROVING AMENDMENTS TO SECTION 6.14 AFFORDABLE  
HOUSING**

**WHEREAS**, the Grand County Council (County Council) adopted the *Grand County General Plan Update* (General Plan) on February 7, 2012 with Resolution No. 2976;

**WHEREAS**, the County Council adopted the *Grand County Land Use Code* (Land Use Code or LUC) on January 4, 1999 with Ordinance No. 299 and amended it February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, Grand County aims to provide safe, adequate, and attainable housing for its workforce and residents;

**WHEREAS**, the County Council adopted the Grand County and Moab City Housing Study and Affordable Housing Plan by Resolution No. 2908 on November 4, 2009 as an amendment to the General Plan;

**WHEREAS**, affordable housing appears in several places throughout the LUC but is not clearly defined;

**WHEREAS**, in a public hearing on April 13, 2016 the Grand County Planning Commission considered all evidence and testimony presented with respect to the subject application and forwarded a favorable recommendation to the Grand County Council, in light of the affordable housing needs of the Moab Area community;

**WHEREAS**, due notice was given that the Grand County Council would meet to hear and consider public input on the proposed amendment in a public hearing on May 3, 2016;

**WHEREAS**, the County Council has heard and considered all evidence and testimony presented with respect to the subject application and has determined that the adoption of this ordinance is in the best interests of the citizens of Grand County, Utah;

**NOW, THEREFORE, BE IT ORDAINED** by the County Council that the LUC is amended by the repeal and re-enactment of Section 6.14 Affordable Housing to read as follows:

**6.14 Affordable Housing**

Housing is considered to be affordable when 30 percent (30%) or less of total household income is spent on all housing costs, including mortgage or rent, taxes, insurance, utilities, and HOA fees where applicable. In some developments, it may be practical to limit all housing costs to less than 40 percent (40%) of total household income. Housing may also be considered affordable when a household's residual income – what is left over after

paying all housings costs – can cover essential non-housing expenditures, including food, clothing, transportation, healthcare, and others.

All development approved for affordable housing purposes shall comply with the following standards:

A. Occupancy of such units shall be restricted to a minimum of 30 days.

B. Such units shall be deed restricted as to use and occupancy, based on criteria to be defined by the County Council and as amended from time to time. At a minimum, such use and occupancy restriction shall limit occupancy to persons who are employed within the boundaries of Grand County or, if retired, were previously employed in the County for at least 3 years; earn or earned (applicable only to retired persons) at least 80 percent of their household income from employment within Grand County during those three years; and occupy the unit as their primary residence.

C. The County Council may impose additional restrictions, such as limitations on income relative to median family income (MFI) for Grand County as determined by the Department of Housing and Urban Development (HUD), Area Median Income (AMI) as defined by the Census, or Median Wage as defined by the Utah Department of Workforce Services, and household net worth as necessary to achieve the purposes of this district.

D. The County Council, or its designee, shall approve or otherwise qualify all occupants prior to any employee unit sales, rental or occupancy.

E. The County Council, or its designee, shall approve the deed restriction prior to any unit sales, rental or occupancy.

**Commentary:**  
Real estate markets change over time, and the Grand County Council shall periodically modify the contents of Section 6.14 in accordance with updates to the Grand County Affordable Housing Plan.

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 17<sup>th</sup> day of May 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Those absent:* \_\_\_\_\_

**ATTEST:**

**Grand County Council**

\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

\_\_\_\_\_  
Elizabeth Tubbs, Chair

**From:** [KaLeigh Welch](#)  
**To:** [Chris Baird](#); [Elizabeth Tubbs](#); [Jaylyn Hawks](#); [Ken Ballantyne](#); [Lynn Jackson](#); [Mary McGann](#); [Rory Paxman](#)  
**Cc:** [Mary Hofhine](#); [Zacharia Levine](#); [Diana Carroll](#); [Ruth Dillon](#); [Bryony Chamberlain](#)  
**Subject:** FW: public hearing comment - affordable housing definition  
**Date:** Thursday, May 12, 2016 8:53:20 AM  
**Attachments:** [Affordable def worksheet.xlsx](#)

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Please see below and attached citizen comment from Benjamin Riley.

Thank you,

**KALEIGH WELCH**

OFFICE ASSISTANT | GRAND COUNTY COUNCIL  
125 E. CENTER STREET, MOAB, UT 84532  
O:(435) 259-1342  
F:(435) 259-2574

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**From:** Benjamin Riley [<mailto:benriley@frontier.com>]  
**Sent:** Tuesday, May 10, 2016 7:11 AM  
**To:** KaLeigh Welch  
**Cc:** Ruth Dillon  
**Subject:** public hearing comment - affordable housing definition

Kaleigh, will you please submit my public hearing comment to the County Council for the definition of affordable housing that I believe is still open for comment?

Please see below.

Thanks!

**Benjamin Riley**  
**Executive Director**  
**Housing Authority of Southeastern Utah**  
(435) 259-5891  
(435) 259-4938 (fax)  
(435) 260-2677 (cell)  
[www.hasuhomes.org](http://www.hasuhomes.org)

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**From:** Benjamin Riley [<mailto:benriley@frontier.com>]  
**Sent:** Monday, May 09, 2016 4:27 PM  
**To:**  
**Subject:** public hearing comment - affordable housing definition

Thank you for taking the time to address the many issues facing Grand County's affordable housing dilemma. I'd like to comment on the County's proposed amendment to incorporate a definition of affordable housing.

My comment is referring to the **30%** or less of total household income being spent on all housing costs... Housing costs that do not exceed 30% of total household income is the standard definition by HUD in determining what may be affordable to a renter or buyer. At the Housing Authority we go by this very same principle. However, the Housing Authority's definition is typically extended to not allow renters or buyers to not spend over 40% of their monthly income on housing related expenses. This, too, has become a standard in the affordable housing industry.

As the local affordable housing management and development agency HASU runs programs and is funded by many state and federal agencies. These successful affordable housing programs such as the Housing Choice Voucher, Mutual Self-Help, USDA 515 Loan Program and CROWN Rent-to-Own seek to avoid a housing cost burden, keeping housing costs below 40%. I've attached a spreadsheet that outlines various rental and single family home sales in Grand County developed as affordable housing. As you can see, most are between 30 and 40%.

30% of monthly household income is the standard for affordable housing. As you can see however, in practice, the goal is to keep housing costs under 40%. This is especially true in our rural county where the cost for construction and land are usually higher than the state average.

My advice is to not be held to a strict 30% standard moving forward. If the intention is to only provide guidance or not to strictly enforce the 30% standard moving forward then you make take my comments as a tool to better understand the affordable housing market and not a critique on the amendment. If the Council is adopting this measure to set a baseline for enforcing future affordable housing policy please take my comments into consideration when adopting this amendment.

Thank you,

**Benjamin Riley**  
**Executive Director**  
**Housing Authority of Southeastern Utah**  
(435) 259-5891  
(435) 259-4938 (fax)  
(435) 260-2677 (cell)  
[www.hasuhomes.org](http://www.hasuhomes.org)

## 6.14 Affordable Housing

Housing is considered to be affordable when thirty percent (30%) or less of total household income is spent on all housing costs, including mortgage or rent, taxes, insurance, utilities, and HOA fees where applicable. In some developments, it may be practical to limit all housing costs to less than 40 percent (40%) of total household income. Housing is also considered to be affordable when a household's residual income – what is left over after paying all housing costs – can cover essential non-housing expenditures, including food, clothing, transportation, healthcare, and others.

All development approved for affordable housing purposes shall comply with the following standards:

- A. Occupancy of such units shall be restricted to a minimum of 30 days.
- B. Such units shall be deed restricted as to use and occupancy, based on criteria to be defined by the County Council and as amended from time to time. At a minimum, such use and occupancy restriction shall limit occupancy to persons who are employed within the boundaries of Grand County or, if retired, were previously employed in the County for at least 3 years; earn or earned (applicable only to retired persons) at least 80 percent of their household income from employment within Grand County during those three years; and occupy the unit as their primary residence.
- C. The County Council may impose additional restrictions, such as limitations on income relative to ~~area~~ family income ~~(AMI) (MFI)~~ as determined by the Department of Housing and Urban Development (HUD), Area Median Income (AMI) as defined by the Census, or Median Wage as defined by the Utah Department of Workforce Services, and household net worth as necessary to achieve the purposes of this district. ~~For purposes of this section, such net worth shall not exceed 150 percent of Grand County's average household income.~~
- D. The County Council, or its designee, shall approve or otherwise qualify all occupants prior to any employee unit sales, rental or occupancy.
- E. The County Council, or its designee, shall approve the deed restriction prior to any unit sales, rental or occupancy.

### **Commentary:**

Real estate markets change over time, and the Grand County Council shall periodically modify the contents of Section 6.14 in accordance with updates to the Grand County Affordable Housing Plan.

	3 BR	Rent/Mort Amount	Utilities	Total Rent Expenses	Income at Qualification	Percentage of Income towards housing (monthly)
<b>Desert Wind (CROWN)</b>		\$610	\$210	\$820	\$34,281	<b>28.7%</b>
		\$610	\$210	\$820	\$27,566	<b>35.7%</b>
<b>Rim Hill (CROWN)</b>		\$525	\$223	\$748	\$26,267	<b>34.2%</b>
		\$452	\$191	\$643	\$21,200	<b>36.4%</b>
<b>MSH (Deer Trail)</b>		\$641	\$208	\$849	\$40,100	<b>25.4%</b>
		\$502	\$208	\$710	\$22,510	<b>37.8%</b>
		\$428	\$208	\$636	\$20,296	<b>37.6%</b>
<b>4 BR</b>						
<b>Rim Hill (CROWN)</b>		\$575	\$261	\$836	\$27,114	<b>37.0%</b>
		\$550	\$199	\$749	\$25,070	<b>35.9%</b>
<b>Desert Wind (CROWN)</b>		\$694	\$211	\$905	\$36,824	<b>29.5%</b>
		\$694	\$211	\$905	\$39,735	<b>27.3%</b>
<b>MSH (Various)</b>		\$762	\$220	\$982	\$39,585	<b>29.8%</b>
		\$626	\$220	\$846	\$26,371	<b>38.5%</b>
		\$670	\$220	\$890	\$34,944	<b>30.6%</b>
<b>Cinema Court</b>	1br	\$392	\$56	\$448	\$14,040	<b>38.3%</b>
	1br	\$392	\$56	\$448	\$18,425	<b>29.2%</b>
	2br	\$552	\$67	\$619	\$18,140	<b>40.9%</b>
	2br	\$552	\$67	\$619	\$23,560	<b>31.5%</b>
	3br	\$713	\$82	\$795	\$31,200	<b>30.6%</b>
	3br	\$713	\$82	\$795	\$27,040	<b>35.3%</b>

**AGENDA SUMMARY  
GRAND COUNTY COUNCIL MEETING  
May 17, 2016**

Agenda Item: O

<b>TITLE:</b>	Adopting a proposed ordinance to amend Article 9 of the Grand County Land Use Code (LUC) to improve and streamline the administration of land use applications
<b>FISCAL IMPACT:</b>	N/A
<b>PRESENTER(S):</b>	Zacharia Levine, Community Development Director

**Prepared By:  
ZACHARIA LEVINE  
GRAND COUNTY  
COMMUNITY  
DEVELOPMENT  
DIRECTOR**

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**STATED MOTION :**

Move to adopt proposed ordinance approving the amendment to Article 9 of the Grand County Land Use Code (LUC) to improve and streamline the administration of land use applications.

**PLANNING COMMISSION RECOMMENDATION:**

Approval

**STAFF RECOMMENDATION:**

Approval

**BACKGROUND:**

The Grand County Planning Commission, with guidance from the Community Development Department, has identified several barriers to affordable housing in the LUC. One such barrier to the development of all housing – market rate and affordable – is the development review process and associated timeline.

Planning commission and staff have identified several changes to Article 9 of the Grand County LUC to achieve the following objectives:

- Improve public noticing procedures
  - On-site posting requirements
- Decrease development review time
  - Removal of unnecessary public hearings and meetings from preliminary plat, final plat, and conditional use permit reviews
- Increase certainty and clarity in the development review process for landowners, developers, and builders
- Protect the County from making administrative land use decisions based on “public clamor”
  - “Public clamor,” as per the Utah Code, may only influence legislative decisions
- Free up county council and planning commission time to focus on larger scale planning efforts
- Remove outdated application submission requirements
  - Submittals of application plats can now be sent and distributed electronically, and reproduced in the office as

needed

- Comply with state code regarding subdivision warranty bonds
  - Reduction of guarantee period from two years to one year

In a public hearing held April 13, 2016, the planning commission voted to forward a favorable recommendation of the referenced amendment, which improves and streamlines the administration of land use applications in Grand County.

**ATTACHMENT(S):**

1. Draft ordinance
2. Article 9 Administration and Procedures
3. Citizen Comment

**GRAND COUNTY, UTAH**  
**ORDINANCE NO. \_\_\_\_\_, SERIES 2016**

**AMENDING ARTICLE 9 OF THE GRAND COUNTY LAND USE CODE**

**WHEREAS**, the Grand County Council (County Council) adopted the *Grand County General Plan Update* (General Plan) on February 7, 2012 with Resolution No. 2976;

**WHEREAS**, the County Council adopted the *Grand County Land Use Code* (Land Use Code) on January 4, 1999 with Ordinance No. 299 and amended February 19, 2008 with Ordinance No. 468 for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, Grand County desires to amend Article 9 of the Land Use Code by clarifying the following; notice requirements, application submittal requirements, distribution of applications to referral agencies, and removing "spot zoning" consideration to conform to State Regulation;

**WHEREAS**, the Grand County Planning Commission considered this item in a public hearing on April 13, 2016, at which time the Planning Commission recommended approval;

**WHEREAS**, the County Council considered this item in a public hearing held on May 3, 2016; and

**WHEREAS**, the County Council has heard and considered all evidence and testimony presented with respect to the amendment and has determined subsequent to said public hearing that the adoption of this ordinance is in the best interests of the citizens of Grand County, Utah.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF GRAND COUNTY, UTAH, THAT** the Land Use Code is hereby amended by the repeal and re-enactment of Article 9 Administration and Procedures, as shown on the attached Exhibit A: and

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 17<sup>th</sup> day of May 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Absent:* \_\_\_\_\_

**ATTEST:**

**Grand County Council**

\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

\_\_\_\_\_  
Elizabeth Tubbs, Chairman

## Article 9 Administration and Procedures

### Section 9.1 Common Procedure

#### 9.1.1 Conformity with Land Use Code

Every official and employee of Grand County vested with the duty or authority to issue a permit or certificate shall not issue a permit or certificate for any use, building, or purpose that conflicts with any provision of this LUC. Any permit, approval, or certificate issued in conflict with the provisions of this LUC shall be null and void.

#### 9.1.2 Preapplication Conference

Prior to the submission of an application required by this LUC, a preapplication conference with the Zoning Administrator may be required as follows.

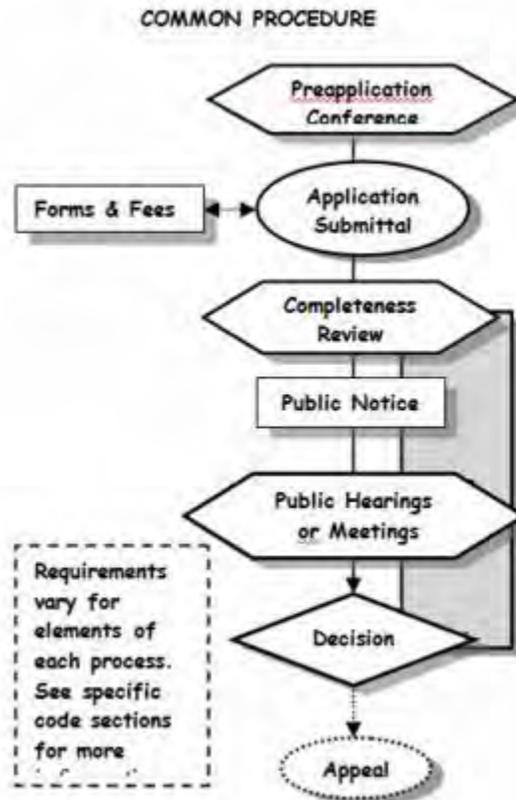
##### A. Preapplication Mandatory Conference

A mandatory Preapplication Conference with the Zoning Administrator to discuss procedures, standards, or regulations shall be required for:

1. **Subdivision Sketch Plan;**
2. **Preliminary Plat;**
3. **Minor Subdivision Plat;**
4. **Recreational Subdivision; and**
5. **Conditional Use Permits;**

##### B. Optional Conference

A preapplication conference is recommended for all other applications. Applicants are encouraged to attend an optional preapplication conference with the Zoning Administrator prior to submitting any application. (The preapplication conference provisions of this section do not apply where the application or action is initiated by the County Council or Commission.)



#### 9.1.3 Minimum Submission Requirements

The following regulations shall apply to all applications.

##### A. Property Owner Endorsement

All applications shall include the name and signature of the current property owner of all property within the boundaries.

**B. Preliminary Title Report**

All applications required under this LUC shall include a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property.

**C. Forms and Content**

Applications required under this LUC shall be submitted on forms, with any requested information and attachments and in such numbers as required by the Zoning Administrator. The Zoning Administrator shall have the authority to request any pertinent information required to ensure compliance with this LUC. Likewise, the Zoning Administrator may waive any submittal requirements deemed irrelevant in a given application.

**D. Electronic Submission**

Plats shall be prepared and submitted in digital format acceptable to the Zoning Administrator and compatible with the County's geographic information system. Plats shall be submitted in the latest version of AutoCAD, or other format compatible with the County GIS as may be specified by the Zoning Administrator (currently preferred in State Plane Coordinates - Utah Central Zone or the Valley Coordinate System) with all measurements stated in feet.

**E. Fees**

1. Filing fees shall be established periodically by resolution of the County Council commensurate with the level of service. Such fees may include all costs occasioned to the County, including publication of notices, public hearing, and review costs, planning and engineering, legal, and other professional review and inspection costs.
2. All required fees shall be made payable to "Grand County."
3. All required fees shall be non-refundable.

**F. Vicinity Map**

A vicinity map [which may be a USGS one inch equals 2000 feet scale] shall locate the property relative to surrounding areas.

**9.1.4 Application**

All applications shall be completed and submitted to the Zoning Administrator at least 30 days prior to any desired agenda date. An application shall not be considered as officially submitted until it has been found to be complete in accordance with Section 9.1.6.

**9.1.5 Summary of Land Use Authority**

Land use authority for the respective land use review procedures is described below

SUMMARY OF LAND USE AUTHORITY		
Application Type	Land Use Authority	Reference
Interpretations of Text and Zoning Map	Zoning Administrator	Section 9.2.8
Zoning Map	County Council	Section 9.2

(Rezoning) and Text Amendments		
Sketch Plan	Planning Commission	Section 9.3
Preliminary Plat	Planning Commission	Section 9.4
Final Plat	County Council	Section 9.5
Minor Record Surveys	Zoning Administrator	Section 9.7
Recreational Subdivisions	County Council	Section 9.8
Replats and Exemption Plats	County Council	Section 9.9
Lot Line Adjustments	Zoning Administrator	Section 9.10
Conditional Use Permits	County Council	Section 9.11
Appeals of Administrative Decisions	Hearing Officer	Section 9.13
Variances	Hearing Officer	Section 9.14
Variances (in conjunction with Subdivision Review)	County Council	Section 9.14
Sign Permits	Zoning Administrator	Section 9.15
Temporary Use Permits	Zoning Administrator	Section 9.16
Site Plan Reviews	Zoning Administrator	Section 9.17
Zoning Development Permits	Zoning Administrator	Section 9.18
Building Permits	Building Official	--
Certificates of Occupancy	Building Official	Section 9.19

**9.1.6 Certification of Completeness**

An application shall be considered submitted only after the Zoning Administrator certifies that it is complete, provided in the required form, includes all mandatory information and exhibits, and is accompanied by the applicable fee. A determination of application completeness shall be made by the official responsible for accepting the application within 5 working days of application filing. If an application is determined to be incomplete, the Zoning Administrator shall contact the applicant to explain the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 15 days, the application shall be considered withdrawn.

**9.1.7 Vested Development Rights**

Complete applications shall be considered complete when the requirements in place at the time have been met and certified by the Zoning Administrator. However, such application shall be subject to pending amendments to the LUC that are initiated prior to such certification.

**9.1.8 Required Public Notices**

**A. Summary of Notice Requirements**

Notice shall be required for development review as shown in the table below.

<b>Application Type</b>	<b>Published</b>	<b>Posted</b>
Appeals of Administrative Decisions	X	
Conditional Use Permits	X	X
Replats	X	X
Text Amendments	X	
Zoning Map Amendments (Rezoning)	X	X
Variances	X	X

**B. Notice Requirements**

All required public notices shall be accomplished in accordance with the following requirements:

**1. Publication**

The County shall cause notice of the public hearing to be given by publication in a newspaper of general circulation (with distribution of the notice to all other local news media without any requirement for publication) in Grand County not less than 10 calendar days prior to the hearing for the purpose of notifying the public of the time and place of such public hearing;

**2. Mailing**

As an alternative or complement to the above publication requirements, staff may mail notice of the public hearing not less than 10 days prior to the hearing to the recorded owner of each parcel within 500 feet in all directions of the property that is the subject of a land use application.

**3. Posting**

**a.** The Applicant shall post a sign, provided by the County, noticing the public hearing in a prominent and visible place within five (5) feet of each property line with street frontage on the land area proposed for a rezoning, subdivision amendments, or conditional use with a notice of the hearing at least 10 days prior to the hearing.

b. The County shall post notice on the official County and State public meeting notice websites.

**C. Content of Notice**

All published, posted, or mailed notices shall at a minimum state the time and place of such hearing and the nature of the subject to be considered, and the name, address, and phone number of the Applicant.

**9.1.9 Required Public Hearings**

The following table summarizes the types of applications requiring public hearings and the review body responsible for conducting the hearing.

<b>REQUIRED PUBLIC HEARINGS</b>			
<b>Application Type</b>	<b>Hearing Officer</b>	<b>Planning and Zoning Commission</b>	<b>County Council</b>
Appeals of Administrative Decisions	X		
Conditional Use Permits			X
Preliminary Plats			
Zoning Map (Rezoning) and Text Amendments		X	X
Variances	X		
Variances in conjunction with Subdivision Approval			X

**9.1.10 Required Applicant Notices**

**A. Notice of Meetings and Hearings**

1. The County shall provide written notice to each land use applicant of the date, time and place of each public meeting and public hearing at which the applicant's application is to be considered.

2. All affected entities, including but not limited too; school districts, utilities, special districts, UDOT, and the AOG state planning coordinator shall be notified when considering the general plan or amendments to the general plan or multi-unit residential, commercial, industrial or subdivision approvals.

**B. Notice of Decision**

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the final decision on each land use application.

### **9.1.11 Required Municipal Notice of Urban Development**

Proposed residential development with more than 15 dwelling units and an average density greater than one residential unit per acre, or any proposed commercial development with a cost projection of greater than \$750,000, that is in the municipality's proposed annexation area is subject to municipal review according to the requirements of this section:

- A.** The County shall provide written notice to the municipality of the proposed development; and
- B.** Within 90 days after the County's written notice of the proposed development, the municipality shall either:
  - 1.** Consent in writing to the development; or
  - 2.** Submit a written objection to the County's approval of the proposed development.
- C.** Where the municipality chooses to submit a written objection, within a reasonable time after receiving said objection, the County shall respond in writing to the municipality's objections and make a diligent attempt to reasonably reconcile said objections.

### **9.1.12 Simultaneous Processing of Applications**

Whenever 2 or more forms of review and approval are required under this LUC, the applications for those development approvals may be processed simultaneously at the Zoning Administrator's option and with the approval of the applicant. The simultaneous processing of applications shall be at the applicant's risk.

## **Section 9.2 Text and Zoning Map Amendments (Rezoning)**

### **9.2.1 General**

Text and Zoning Map Amendments are discretionary legislative decisions. This is true even when a proposed map amendment otherwise conforms to the applicable requirements of this code

### **9.2.2 Initiation of text amendment**

Any person having a proprietary interest in any property may submit an application to the County Council for a change or amendment to the provisions of this LUC, or the Planning Commission may on its own motion or on request from the County Council, institute study and proposal for changes and amendments in the public interest.

### **9.2.3 Application for Zoning Map Amendment**

Any person having a proprietary interest in any property within Grand County, Utah, requesting a change or amendment to the zoning classification of such property shall submit an application for such change or amendment with the Zoning Administrator. The application shall be submitted at least 30 days prior to any desired agenda date and, at a minimum, shall include the following information:

- A.** The name, address, and telephone number of the Applicant shall be provided;
- B.** The application shall clearly state the requested change or amendment and describe the property to be affected by such request by metes and bounds or by other legal description;
- C.** The application shall be accompanied by a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record that affect the title to the subject property;

- D. A statement from the County Treasurer showing the status of all current taxes due on said parcel;
- E. Certified boundary survey of land area to be rezoned, along with an indication of the existing zoning, predominant existing uses, and existing zoning designations within 100 feet in all directions of the boundary of the land area to be rezoned;
- F. A list of surrounding property owners and their legal mailing addresses within 100 feet of the exterior boundary of the parcel proposed to be zoned or rezoned;
- G. A statement by the Applicant explaining the rationale for the rezoning request relative to the issues for consideration imposed by Section 9.2.7, below; and
- H. A filing fee shall be submitted to cover the cost of review and processing with every application in accordance with the fee schedule adopted by resolution of the County Council.

#### **9.2.4 Review by Planning Commission**

Before taking action on any proposed amendment, supplement or change, the County Council shall submit the same to the Planning Commission for its recommendation and report.

##### **A. Public Hearing Required**

The Planning Commission shall hold a public hearing on any proposed amendment permit prior to making its recommendation to the County Council.

##### **B. Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

##### **C. Notice of Decision**

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the Commission's decision.

#### **9.2.5 Action by County Council**

The County Council shall act on the zoning map or text amendment in a public hearing within 30 days after the recommendation and report of the Planning Commission.

##### **A. Public Hearing Required**

The County Council shall hold a public hearing on any application for amendment or change prior to making its decision. If County Council approves the ordinance amendment on first reading in a public hearing, a second reading shall be held by the County Council before adopting any proposed amendment, supplement or change. Following the second reading, such amendments shall become effective upon the favorable vote of a majority of the quorum of the County Council present and voting.

##### **B. Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

##### **C. Exception**

When the zoning district map in any way is to be changed or amended incidental to, or as a part of a general revision of this LUC, whether such revision be made by repeal of the existing zoning and/or land use regulations and enactment of a new zoning and/or land use regulations, or otherwise, posting of notice on the land area proposed for rezoning shall not be required.

#### **9.2.6 Notification Requirements for Text Amendment**

When any such amendment relates to a change of a regulation or to the text of this LUC not affecting specific property, the County shall cause notice of the public hearing of the County Council to be given in a newspaper of general circulation in Grand County. Such notice shall state the time and place of such hearing and the nature of the subject to be considered, which time shall not be earlier than 10 days from the date of publication.

#### **9.2.7 Issues for Consideration**

In making its determination, the Planning Commission and the County Council shall consider the recommendation of the Planning Commission, staff reports, and the written and oral testimony presented, and the following criteria:

- A. Was the existing zone for the property adopted in error?
- B. Has there been a change of character in the area (e.g. installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.)?
- C. Is there a need for the proposed use(s) within the area or community?
- D. Will there be benefits derived by the community or area by granting the proposed rezoning?
- E. Is the proposal in conformance with the policies, intents and requirements of Grand County General Plan, specifically the Plan's zoning map amendment guidelines (see pages 44-48 of the Grand County General Plan)?
- F. Should the development be annexed to a city?
- G. Is the proposed density and intensity of use permitted in the proposed zoning district?
- H. Is the site suitable for rezoning based on a consideration of environmental and scenic quality impacts?
- I. Are the proposed uses compatible with the surrounding area or uses; will there be adverse impacts; and/or can any adverse impacts be adequately mitigated?
- J. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended? Is the applicant willing to pay for the extension of public facilities and services necessary to serve the proposed development?
- K. Does the proposed change constitute "spot zoning"?

#### **9.2.8 Interpretations of Text and Zoning Map**

##### **A. Authority**

The Zoning Administrator shall have the authority to make all interpretations of the text of this LUC, and the boundaries of the Official Zoning Map.

## **B. Requests for Interpretation**

An interpretation may be requested by any affected person, any resident or real property owner in Grand County, or any person having a contractual interest in real property in Grand County.

## **C. Procedures**

### **1. Submission of Request for Interpretation**

Before an interpretation shall be provided by the Zoning Administrator, a request for Interpretation shall be submitted to the Zoning Administrator in a form established by the Zoning Administrator.

### **2. Determination of Completeness**

Within a reasonable amount of time after a request for Interpretation has been received, the Zoning Administrator shall determine whether the request is complete. If the Zoning Administrator determines the request is not complete, he shall serve written notice on the Applicant specifying the deficiencies. The Zoning Administrator shall take no further action on the request for Interpretation until the deficiencies are remedied.

### **3. Rendering of Interpretation**

After the Request for Interpretation has been determined complete, the Zoning Administrator shall render an interpretation within a reasonable amount of time. The Zoning Administrator may consult with the County Administrator and the County Attorney, review this LUC and the Official Zoning Map, whichever is applicable, before rendering an interpretation.

### **4. Form**

The interpretation shall be in writing and shall be sent to the Applicant by certified mail.

### **5. Official Record**

The Zoning Administrator shall maintain an official record of all interpretations in the County Hall, which shall be available for public inspection during normal business hours.

### **6. Appeal**

Any person who has made a request for Interpretation may appeal interpretation of the Zoning Administrator to the County Council by filing an application within 30 days of the Zoning Administrator's decision. The date of the decision shall be the postmark date of the certified mail notifying the Applicant of the interpretation. The application shall be considered by the County Council within 30 days of its filing, and the interpretation of the Zoning Administrator affirmed or modified.

## **Section 9.3 Subdivision Sketch Plan**

### **9.3.1 Preapplication Conference**

Prior to the filing of a subdivision sketch plan, the subdivider shall meet with the Zoning Administrator or his or her designated agent to acquaint himself or herself with the

requirements of the County and the relationship of the proposed subdivision to the General Plan. As such meeting, the application contents, referral agencies, review procedures, density standards, use and area standards, street requirements, utility service and the general character of the development may be discussed. At the preapplication conference, the subdivider may be represented by a land planner, engineer or surveyor.

### **9.3.2 Submittal Requirements**

The subdivision sketch plan shall include conceptual plans for the entire parcel on two (2) 18 X 24 plats, two (2) 11 X 17 copies, and in an electronic file ready for printing. Such plan shall be accompanied by or show the following information:

- A.** A preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the property.
- B.** Conceptual drawing
- C.** A conceptual drawing of the lot and street layout drawn at a scale of not less than 1 inch = 200 feet and including the following:
  - D.** Proposed number of lots and the approximate area of the individual lots;
  - E.** Topographic contours at 5 foot intervals and all easements or rights-of-way necessary for drainage within or without the boundaries of the subdivision;
  - F.** Significant natural features of the site including streams, lakes, natural drainage lines, vegetation type, and other similar features;
  - G.** Man-made features such as existing buildings, irrigation ditches, utility lines and easements, bridges, culverts, drainage systems, mines or mine dumps;
  - H.** Zone district boundaries;
  - I.** General land use divisions into residential types, commercial, industrial, community facilities, and open space including proposed boundaries of public use or common areas; parking area, total number of dwelling units and total square footage of non-residential space;
  - J.** Type and layout of water supply and sewage treatment system proposed;
  - K.** Acreage of the entire tract and the area to the nearest one-half acres and percent of total area to be devoted to open space;
  - L.** The name and location of a portion of adjoining subdivisions shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivisions in sufficient detail to show actually the existing streets and alleys and other features that may influence the layout and development of the proposed subdivisions; where adjacent land is not subdivided, the name of the owner of the adjacent tract shall be shown;
  - M.** A vicinity-topography map (which may be a USGS one (1) inch equals 2000 feet scale) shall locate the property relative to surrounding areas; and
  - N.** A filing fee shall be submitted to cover the cost of review and processing with every subdivision sketch plan in accordance with the fee schedule adopted by resolution of the County Council.

### **9.3.3 Application Review Procedures**

#### **A. Date of Filing**

a. All submittal requirements shall be submitted to the Zoning Administrator 30 days prior to the Planning Commission meeting at which consideration is desired. The Subdivision Sketch Plan shall be considered officially filed after application review fees which are established by resolution of the County Council have been paid and after it is examined and found to be in compliance with the general provisions of these regulations by the Zoning Administrator.

#### **B. Distribution of Subdivision Sketch Plans**

The Zoning Administrator shall distribute the Subdivision Sketch Plans immediately upon receipt to appropriate referral agencies which may include the following:

1. Zoning Administrator;
2. Grand County Engineer;
3. Grand Water and Sewer Service Agency; 4. Moab Fire Protection District;
5. Grand County Administrator;
6. Grand County Recorder;
7. Grand County Road Superintendent; and
8. Additional copies shall be provided to the Planning Commission prior to the Commission meeting at which the Subdivision Sketch Plan is considered.

#### **C. Comments; Written Report**

Prior to the meeting of the Planning Commission at which the plat is to be considered, each agency listed above shall submit their written recommendations concerning the plat in question to the Zoning Administrator. The recommendations shall be given to the Planning Commission with the plat for their consideration. A written report shall be prepared by the Zoning Administrator and submitted to the Planning Commission at the next regular meeting. Such report should include comments relative to the proposed subdivision's compliance to these regulations, the General Plan or other master plans such as utility plans. The report may include comments from other County departments, county, or state agencies concerned with urban development.

#### **D. Review by Commission**

##### **1. Action by Commission**

Following review of the Subdivision Sketch Plan and other materials submitted for conformity thereof to these regulations, and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by the subdivider, the Planning Commission shall act on the Subdivision Sketch Plan in a regular meeting within 30 days after the official filing date or within a reasonable time thereafter. If approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefore.

##### **2. Items for Consideration by Commission**

The Planning Commission shall, in its action on the Subdivision Sketch Plan, consider the physical arrangement of the subdivision, and determine the adequacy of street rights of way and alignment, the street standards of Grand County, the existing street pattern in the area and with all applicable provisions of the General Plan. The Planning Commission shall also ascertain that adequate easements for proposed or future utility service and surface drainage are provided, and that the lot size and area are adequate to comply with the minimum requirements for the underlying zone district and for the type of sanitary sewage disposal proposed.

## **Section 9.4 Preliminary Plat**

### **9.4.1 Preapplication Conference**

Prior to the filing of a preliminary plat, the subdivider shall meet with the Zoning Administrator or his or her designated agent to acquaint himself or herself with the requirements of the County and the relationship of the proposed subdivision to the General Plan. At such meeting, the application contents, referral agencies, review procedures, density standards, use and area standards, street requirements, utility service and the general character of the development may be discussed. At the preapplication conference, the subdivider may be represented by a land planner, engineer or surveyor.

### **9.4.2 Submittal Requirements**

The subdivider or owner shall submit an application requesting preliminary plat approval, a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property, and the preliminary plat on two (2) 18 X 24 plats, two (2) 11 X 17 copies, and in an electronic file ready for printing. The preliminary plat shall include plans for the entire parcel. The following notice shall be stamped on the face of each preliminary plat: "Preliminary Plat for inspection purposes only, and in no way official or approved for record purposes." Such plat shall be accompanied by or show the following information:

#### **A. Boundary Lines and Bearings**

Boundary lines, bearings, and distances sufficient to locate the exact area proposed for subdivision. At least one (1) subdivision corner shall be referenced to a survey (abstract) corner. The area, in acres, of the subdivision shall also be shown.

#### **B. Adjacent Subdivisions**

The name and location of a portion of adjoining subdivisions shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivisions in sufficient detail to show actually the existing lots, streets, alleys and other features that may influence the layout and development of the proposed subdivisions. Where adjacent land is not subdivided, the name of the owner of the adjacent tract shall be shown.

#### **C. Intersecting Streets**

The angle of intersection of the centerline of all intersecting streets.

#### **D. Proposed Streets, Alleys and Easements**

The names, location and widths of all streets, alleys and easements proposed for the subdivision, and all known rightsofway and/or easements within or affecting the area to be subdivided.

#### **E. Proposed Blocks, Lots and Parks**

The subdivision shall show all proposed streets and alleys, easements, blocks, lots, parks, etc., with principal dimensions.

**F. Contours**

Existing topographic contours at 5 foot intervals and all easements or rights-of-way necessary for drainage within or without the boundaries of the addition.

**G. Subdivision Title and Planner**

The title under which the proposed subdivision is to be recorded, the name of the owner and the name of the engineer or land planner who prepared the plat.

**H. Dedicated Parks, Playgrounds and Other Public Uses**

Sites, if any, to be reserved or dedicated for parks, playgrounds or other public uses.

**I. Scale, North Point**

1. Scale, north point, date and other pertinent data
2. The scale of the preliminary plat may be at one (1) inch equals 200 feet.
3. Name, address and telephone number
4. Property owner's name, address, and telephone number.
5. Proposed layout of utilities
6. A proposed preliminary layout of sanitary sewer and water lines to serve the subdivision.

**J. Drainage Report**

A general drainage report or drainage statement shall accompany the preliminary plat. This study or report shall show the acreage draining into the subdivision, points of runoff through and away from the subdivision.

**K. Protective Covenants**

Draft of any protective covenants where the subdivider proposes to regulate land use or development standards in the subdivision.

**L. Proposed Land Uses**

A designation of the proposed uses of land within the subdivision and any zoning amendments proposed to be requested.

**M. Vicinity Map**

A vicinity map on a smaller scale showing the proposed subdivision and its relationship to the surrounding area and County limits.

**N. Application Fee**

A filing fee shall be submitted to cover the cost of review and processing with every preliminary plat in accordance with the fee schedule adopted by resolution of the County Council.

**O. Preliminary Master Plan**

If the proposed subdivision is a portion of a tract that is later to be subdivided in its entirety, then a tentative master plan of the entire subdivision shall be submitted with the preliminary plat of the portion first to be subdivided. The master subdivision plan shall conform in all respects to the requirements of the preliminary plat; except, it may be on a scale of not more than one (1) inch to 100 feet, or other staff-approved scale.

**P. Optional Architectural and Landscaping Plan**

1. The County Planning Commission may require that an architectural and landscaping plan be submitted as part of a preliminary subdivision plat application. An architectural and landscaping plan may include:

- a. An architectural plan depicting elevation drawings of the proposed development from public use area perspectives or as specified by the Planning and Zoning Commission; and
- b. A landscaping plan depicting treatment of exterior spaces to include the species of vegetation, their size and siting.

**9.4.3 Application Review Procedures**

**A. Date of Filing**

Two (2) 18 X 24 plats, two (2) 11 X 17 copies, and an electronic file ready for printing of the preliminary plat application shall be submitted to the Zoning Administrator 30 days prior to the Planning Commission meeting at which consideration is desired. The preliminary plat shall be considered officially filed after application review fees which are established by resolution of the County Council have been paid and after it is examined and found to be in general compliance with the provisions of these regulations by the Zoning Administrator.

**B. Conformance with Subdivision Sketch Plan**

The preliminary plat shall conform substantially to the subdivision sketch plan as approved.

**C. Distribution of Preliminary Plat**

1. The Zoning Administrator shall distribute the preliminary plat immediately upon receipt to appropriate referral agencies which may include the following:
2. Zoning Administrator;
3. Grand County Engineer; 4. Grand County Water and Sewer Service Agency;
5. Moab Fire Protection District;
6. Grand County Administrator;
7. Grand County Recorder;

8. Grand County Road Superintendent; and,
9. Additional copies shall be provided to the Planning Commission prior to the Commission meeting at which the preliminary plat is considered.

**D. Comments; Written Report**

Prior to the meeting of the Planning Commission at which the plat is to be considered, each agency listed above shall submit their written recommendations concerning the plat in question to the Zoning Administrator. The recommendations shall be given to the Planning Commission with the plat for their consideration. A written report shall be prepared by the Zoning Administrator and submitted to the Planning Commission at the next regular meeting. Such report should include comments relative to the proposed subdivision's compliance to these regulations, the General Plan or other master plans such as utility plans. The report may include comments from other County departments, county, or state agencies concerned with urban development.

**E. Review by Planning Commission**

Before taking action on any proposed amendment, supplement or change, the County Council shall submit the same to the Planning Commission for its recommendation and report.

**1. Public Meeting Required**

The Planning Commission shall hold a public meeting prior to approving a preliminary plat.

**2. Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

**3. Action by Commission**

Following review of the preliminary plat and other materials submitted for conformity thereof to these regulations, and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by the subdivider, the Planning Commission shall, at the first regular meeting occurring at least 30 days after the official filing date, act thereon as submitted or modified, and if approved the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefore.

**4. Notice of Decision**

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the Commission's decision.

**9.4.4 Issues for Consideration**

The Planning Commission shall, in its action on the preliminary plat, consider Article 7, Subdivision standards, the physical arrangement of the subdivision, and determine the adequacy of street rightsofway and alignment, the street standards of Grand County, the existing street pattern in the area and with all applicable provisions of the General Plan. The Planning Commission shall also ascertain that adequate easements for proposed or future

utility service and surface drainage are provided, and that the lot size and area are adequate to comply with the minimum requirements for the underlying zone district and for the type of sanitary sewage disposal proposed.

#### **9.4.5 Effect of Preliminary Plat Approval**

##### **A. Not Approval of Final Plat**

Conditional approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat.

##### **B. Lapse of Approval**

Preliminary approval of the subdivision shall be valid for a period of 12 months from the date of approval and the general terms and conditions under which the preliminary approval was granted will not be changed. The preliminary approval of the subdivision shall be deemed voided unless a final plat is submitted within the 12 month period or unless the 12 month period is extended by the County Council at the request of the subdivider. Provided, however, that the approval of the preliminary plat for a multi-phase subdivision shall be deemed voided unless at least one (1) phase of the subdivision is submitted within 12 months following approval of the previous final plat for the subdivision, unless the 12 months period is extended by the County Council. The County Council may extend the approval period for one (1) or more times for good cause.

### **Section 9.5 Final Plat**

#### **9.5.1 Final Plat Submittal Requirements**

The owner of land on which preliminary plat approval has been obtained shall prepare and submit: (a) a non-erasable Mylar copy, and (b) a digital copy of the final plat (including all lines, bearings, corners, and etc. necessary to describe the subject lot(s) or parcel(s), and all easements), in the latest version of AutoCAD, or other format compatible with the County GIS as may be specified by the Zoning Administrator (currently preferred in State Plane Coordinates - Utah Central Zone or the Valley Coordinate System) with all measurements stated in feet, and (c) two (2) 24 x 36 copies, or more if specified by the Zoning Administrator. The plat shall be drawn to a scale of 100 feet to one (1) inch, or other scale approved by staff. When necessary the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, the final plat may be submitted for approval progressively in phases satisfactory to the County Council. The final plat shall show or be accompanied by the following:

##### **A. Control Points; Acres**

The primary control points, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred shall be placed on the final plat. The area of the subdivision, in acres, shall be shown.

##### **B. Boundary Lines and Bearings**

Tract boundary line sufficient to locate the exact area proposed for subdivision, rights-of-way lines of streets, easements and other rightsofway, and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves shall be placed on the final plat.

##### **C. Streets**

Name and rights-of-way width of each street or other rights-of-way shall be placed on the final plat.

**D. Easements**

Location and dimensions of all easements shall be placed on the final plat.

**E. Lot and Block Numbers**

Number to identify each lot or site and each block, and the dimensions of lots and blocks, shall be placed on the final plat.

**F. Purpose of Sites**

The purpose for which sites, other than residential lots, are dedicated or reserved shall be indicated on the final plat.

**G. Building Lines**

Minimum building setback lines when required or approved by the Planning Commission shall be placed on the final plat.

**H. Monuments**

Location and description of monuments shall be placed on the final plat. Monuments shall include centerline monuments at all curve points and intersections.

**I. Adjacent Land**

References to recorded subdivision plats or adjoining platted land by record name shall be placed on the final plat.

**J. Surveyors Certificate and Legal Description**

A legal description and surveyor's certificate, to, in the following form, shall be placed on the final plat:

KNOW ALL MEN BY THESE PRESENTS:

That I, \_\_\_\_\_, do hereby certify that I am a registered Utah Land Surveyor, and that I hold certificate No. \_\_\_\_\_ as prescribed under the laws of the state of Utah, and I further certify that under the authority of the owners, I have made a survey of those lands as shown here on and described below, and that I have subdivided said tract of land into lots and streets, hereafter to be known as \_\_\_\_\_ and that same has been correctly surveyed and staked on the ground as shown on this plat.

\_\_\_\_\_

Signature

**K. Approval Certification**

Certification of approval by the Planning Commission and County Council, in the following form, shall be placed on the final plat.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Planning and Zoning Commission of Grand County, Utah

\_\_\_\_\_

Chairman

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Grand County Council

\_\_\_\_\_

Chairman

\_\_\_\_\_

County Recorder

**L. Title; Scale**

A title, scale, and north point shall be placed on the final plat.

**M. Street Intersections**

The location of the point of intersection and points of tangency of street intersections, and the bearing and distance of each street rights-of-way center line shall be placed on the final plat.

**N. Plat Identification**

A positive reference and identification of the plat and date of plat shall be placed on the final plat.

**O. Dedication Certificate**

1. The property owner's certificate or deed of dedication shall be placed on the final plat. The dedication deed or certificate of dedication shall be executed by all persons, firms or corporations owning an interest in the property subdivided and platted, and shall be acknowledged in the manner prescribed by the laws for the State of Utah for conveyances of real property. In the case of surface lien holders, they may execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites and any other public areas shown on the plat of such subdivision as being set aside for public uses and purposes. The dedication deed or certificate of dedication shall, in addition to the above requirements, contain the following:
2. An accurate description of the tract of land subdivided.
3. A statement and express representation that the parties joining in such dedication are the sole owners of such tract of land.
4. An express dedication without reservation to the public for public use; the streets, trails, rightsofway, school site and any other public areas shown on the attached plat.
5. A positive reference and identification of the plat of such subdivision, date of plat and surveyor or engineer responsible for the survey.

**P. Tax Certificates**

Tax certificates indicating that all taxes on the land being subdivided have been paid to the current year shall be submitted with the final plat.

**Q. Construction Plans and Cost Estimate**

Three sets of plans for required improvements and a set of reproducible transparent sheets, 24" x 36" in size along with all data and calculations related to utilities, drainage or other construction in the subdivision and a cost estimate shall be submitted with the final plat. The construction plans shall conform to all requirements of the current Construction Design Standards for Grand County. The cost estimate shall bear the signature and seal of the design engineer. Such plans shall also show all existing or proposed surface and subsurface improvements and obstruction.

**R. Subdivision Improvements Agreement and Performance Guarantee**

A subdivision improvements agreement and performance guarantee for all required public improvements in accordance with the requirements of Section 9.5.1A.

**S. Title Report**

An updated title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property shall be submitted within 15 days immediately prior to final review by the County Council.

**T. Filing Fee**

1. A filing fee to cover the cost of review in accordance with the fee schedule adopted by resolution of the County Council.
2. Additional submission requirements for condominium subdivisions. In addition to the above submission requirements, applications for condominium subdivisions shall be subject to the applicable provisions of Title 57-8-1 et seq., of the Utah Code.

**9.5.2 Application Review Procedures**

**A. Date of Filing**

After approval of the preliminary plat by the Planning Commission and within 12 months of the approval date unless extended for up to one (1) additional year by action of the County Council, the subdivider may submit for approval the final plat. The application, meeting all the requirements of subsection (1) above, shall be submitted to the Zoning Administrator at least 30 days prior to the meeting at which consideration is desired. The official filing date of the final plat shall be the date upon which the plat and construction drawings are found to be in full compliance with the provisions of the preliminary approval after examination by the Zoning Administrator and the review fees which are established by resolution of the County Council have been paid.

**B. Conformance with Preliminary Plat**

The final plat shall conform substantially to the preliminary plat as approved and, if desired by the subdivider, it may constitute only that portion of the approved preliminary plat that he or she proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these regulations.

### **C. Review of Final Plat**

After the presentation of the final plat application for a subdivision to the Zoning Administrator, the Zoning Administrator shall submit the application to the County Engineer, any district providing utility service for review and to any other appropriate referral agencies for review. The County Engineer and other referral agencies shall review the plans and submit comments to the Zoning Administrator for inclusion in the final plat presentation. The developer shall pay the reasonable cost of review of the construction plans before the final plat is presented to the County Council.

### **E. Review by County Council**

#### **1. Action by County Council**

The Zoning Administrator shall submit the final plat to the County Council, along with any preliminary plat conditions established by the Planning Commission, preliminary plat, and an appropriate recommendation. The County Council shall consider all proposals with respect to the dedication of rights-of-way for public use, the construction of utilities, streets, drainage, and other improvements, and when satisfied with the proposals, shall authorize the establishment of agreements for same. The County Council shall act on the final plat within 30 days after the Planning Commission makes a recommendation, or within a reasonable time thereafter.

#### **2. Review in Stages**

An owner or subdivider, at his or her option, may obtain approval of a portion or a section of a subdivision provided he or she meets all the requirements of this LUC with reference to such portion or section in the same manner as is required for a complete subdivision. In the event a subdivision and the final plat thereof is approved by the County Council in sections, each final plat of each section is to carry the name of the entire subdivision, but is to bear a distinguishing letter, number or subtitle.

#### **3. Approval by County Council**

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the Commission's decision. After the County Council has determined that the plat is in proper form, that any conditions of the preliminary plat are satisfied, that the arrangement of the development proposed for the property being subdivided is consistent with zoning regulations, and that the subdivision complies with the provisions of this LUC, it shall act to approve the plat.

#### **4. Disapproval by County Council**

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the Commission's decision. Final plats that are disapproved by the County Council shall be returned to the subdivider by the Zoning Administrator with an attached statement of the reasons for such action.

#### **5. Action Following Approval**

##### **a. Certification of Approval**

- (1) The County Council's approval shall serve as the certificate of approval on the final plat.

(2) In no case shall additions, corrections, or modifications of any kind be made to the final plat other than signatures required after the final plat has been approved by the County Council.

**b. Recordation of Plats**

(1) The final plat for any subdivision located within Grand County shall then be caused to be filed of record by the subdivider in the plat records of Grand County, but only after the County Council has officially acted upon the final plat with reference to improvements, dedications and utilities and all fees (including recording and review fees) shall be paid by the developer.

(2) If for any reason the final plat has not been recorded within 15 days of County Council approval, the approving actions shall be deemed void.

**9.5.3 Responsibility for Payment for Installation Costs**

The subdivider shall provide for costs of materials, installation, and maintenance of all required improvements in accordance the Grand Construction Standard or the most recent County construction standards, and the following requirements:

**A. Required Improvements**

1. The subdivider shall pay all costs of materials and installation of the following:
2. Setting of survey monuments and markers
3. Streets and road construction for all street improvements including base, grading, curbs, gutters, sidewalks, pavement, street name signs, road regulatory signs, culverts, and bridges;
4. Water and sewer lines installations including fire hydrants and manholes;
5. Required storm water system and/or other drainage improvements;
6. All field density and related testing of base, sub-base and other compacted backfill, gradation tests, concrete cylinder tests, asphalt tests, and/or other related tests required to insure minimum standard requirements; and
7. Electric, gas, and other utilities.

**B. Improvement Agreements and Guarantees**

Prior to the recording of a final plat, a subdivider shall submit for approval to the Zoning Administrator an improvements agreement and financial guarantee for construction of any required improvements designated on the approved final plat or construction plans in accordance with the requirements of this Section.

**1. Form of Agreement**

All improvement agreements shall utilize the standard County template (guide) for the format and content of such Agreements. The template may be obtained from the Zoning Administrator.

**2. Engineered Cost Estimate**

The improvements agreement shall include a cost estimate for all required improvements prepared by a professional Utah-registered, professional engineer.

### **3. Financial Guarantees**

The subdivider shall utilize one (1) of the following methods of posting security to cover to the cost of installing all required improvements; provided, however, that nothing in this section shall preclude the County Council from approving other forms of liquid financial security in a form approved by the County. No expiration of the guarantee shall be permitted.

#### **a. Escrow Agreement**

Place on deposit in an approved bank in the name of Grand County, a sum of money equal to 125 percent of the estimated cost (100 percent of cost plus 25 percent contingency) of all improvements required by this Section. Selection of the trustee shall be subject to approval by the County. The escrow agreement shall be approved as to form and legality in writing by the County Attorney. The escrow agreement shall state the name of the subdivision and shall list the improvements the subdivider is required to provide. The County Clerk shall certify in writing that the securities are a satisfactory guarantee for the County.

#### **b. Performance Bond**

File with the County Clerk a bond executed by a surety company holding a license to do business in the State of Utah, and acceptable to Grand County on a form approved by the County, in an amount of 125 percent of the estimated cost (100 percent of cost plus 25 percent contingency) of all improvements required by this Section. The Performance Bond shall be approved as to form and legality in writing by the County Attorney. The County Clerk shall certify in writing that the securities are a satisfactory guarantee for the County.

### **C. Engineering Inspection and Tests**

1. Grand County Engineer, applicable service district, or other inspection agent designated by the Zoning Administrator, shall be notified 3 days before any construction is begun on such public improvements in order that proper supervision and inspection may be provided. All construction work, such as street grading, street paving, storm sewers, curb and/or gutter work, sanitary sewers or water mains performed by the owner, developer or contractor, shall be subject to inspection during construction by the proper authorities of the County and shall be constructed in accordance with the approved standards and specifications, and in accordance with the provisions of any other applicable ordinance of Grand County.

2. The County will charge fees for engineering inspection during construction and for final inspection commensurate to the value of services rendered or costs incurred; however, it is to be understood that the County will do no layout work or daily inspection. Where a special trip(s) to Grand County by the County Engineer are required, the subdivider shall reimburse the County for the costs of such trip(s).

3. The County may require compaction tests on embankments and flexible bases, and depth tests on flexible bases and pavements, and pressure tests on piping systems, before final inspection and approval.

#### **9.5.4 Plat Approval and Dedication**

Approval of the plat and acceptance of dedication on a final plat shall not be effective until the final plat is recorded in the office of the County Clerk. Approval of the plat and acceptance of a dedication by the County shall not imply the maintenance by the County of such dedication. Acceptance for maintenance of roads, parks, trails and other public dedications requires a separate action of the County Council in accordance with the requirements of Section 9.5.5D, Final Acceptance.

#### **9.5.5 Acceptance of Subdivision Improvements**

##### **A. Time Frame for Completion**

##### **1. Plan Re-Submittal**

If construction has not commenced within one (1) year after approval of the plans, the Zoning Administrator may require re-submittal of plans for meeting current standards and engineering requirements.

##### **2. Expiration and Extension of Approval**

If the public improvements for a subdivision have not been constructed and accepted by the County within 36 months of the recordation of the final plat, said final plat shall be null and void and shall conclusively be deemed to be withdrawn, without further action by the County. An approved, unexpired final subdivision plat may be extended once for a period not to exceed 36 months, pursuant to the following provisions:

**a.** The County Council may extend the approval of the final plat, for good cause shown by the Applicant, if there has been no significant change in development conditions affecting the subdivision plan and the plat continues to comply with all applicable standards and ordinances.

**b.** A request for an extension of time to complete final public improvements for a subdivision pursuant to these provisions shall be submitted to the Zoning Administrator no later than the date the final subdivision plat expires. The request shall be in writing, and the application shall state the reason and justification for the requested extension.

##### **B. Partial Acceptance and Reduction of Security**

**1.** As public improvements are completed, a subdivider may apply from time-to-time to the Zoning Administrator for partial release of the collateral deposited with the County Clerk in accordance with the procedures of Section C, Release Procedure.

**2.** If the County Engineer and/or Zoning Administrator determine that any of the required improvements are not constructed in substantial compliance with approved standards and specifications, it shall furnish the Applicant a list of deficiencies and shall be entitled to withhold collateral sufficient to insure substantial compliance.

**3.** If the County Engineer and/or Zoning Administrator determines that the subdivider will not construct any or all of the improvements in accordance with all of the approved standards and specifications, the Zoning Administrator may withdraw and employ from the deposit of collateral such funds as may be necessary to construct the improvements in accordance with the approved standards and specifications.

4. The County Engineer shall independently inspect the construction of improvements while in progress, and, shall likewise inspect such improvements upon completion of construction. The design engineer shall certify that construction was completed to plan, and shall have approved any change(s) to the approved plan in consultation with the County Engineer. After final inspection, the County Engineer shall notify the subdivider and the Zoning Administrator in writing as to its acceptance or rejection. The Zoning Administrator shall reject such construction only if it fails to comply with the approved standards and specifications contained or referred to herein. If the Zoning Administrator rejects such construction, the Zoning Administrator shall advise the County Attorney and the County Attorney shall enforce the guarantees provided in this Section.

5. The design engineer for the subdivider shall submit to the Zoning Administrator a complete set of as-built drawings in "reproducible" hard copy and digital format showing all subdivision improvements, including utility locations (gas, water, sewer and telephone), paving and drainage improvements, and all changes made in the plans during construction. Each hard copy sheet shall contain an "As-Built" stamp bearing the signature of the engineer and the date. Digital information shall be provided in the latest version of AutoCAD, or other format compatible with the County GIS as may be specified by the Zoning Administrator with all measurements stated in feet.

6. The subdivider shall require his construction contractors, with whom he contracts for furnishing materials and for installation of the improvements required under this Section, and shall himself be required to furnish to the Zoning Administrator a written guarantee that all workmanship and materials shall be free of defects for a period of one (1) year from the date of acceptance by the Zoning Administrator.

7. Prior to the final acceptance of a subdivision by the County Council, the subdivider shall furnish a good and sufficient, unconditional warranty bond, or certified check payable to "Grand County", in the amount of 10 percent of the contract price with a reputable and solvent corporate surety in favor of the County, to indemnify the County or any applicable service district(s) against any repairs that may become necessary to any part of the construction work performed in connection with the subdivision arising from defective workmanship or materials used therein, for a full period of one (1) year from the date of final acceptance of the work being warranted.

### **C. Collateral Release Procedure**

1. From time to time, as the improvements are completed, subdivider may apply in writing to the County for a partial or full release of the letter of credit or substitute collateral; and shall utilize the standard County-approved form for this purpose. Such release requests shall be complete at least 14 days prior to any desired release date; and must show, or include all of the following:

- a. Dollar amount of commitment guarantee;
- b. Improvements completed, including dollar value;
- c. Improvements not completed, including dollar value;
- d. Amount of previous releases;
- e. Amount of commitment guarantee requested released;

- f. Release or waivers of mechanics liens of all parties who have furnished work, services, or materials for the Improvements;
  - g. Certification by the design engineer that the improvements have been completed according to approved standards and specifications; and
  - h. Reasonable fee to cover the cost of administration and inspections.
2. Upon receipt of the application, the Zoning Administrator shall promptly refer the application to the County Engineer. The County Engineer shall inspect the required improvements, both those completed and those uncompleted, at his earliest convenience. If the County Engineer determines from the inspection that the required improvements shown on the application has been completed as provided herein, the County Engineer shall so advise the Zoning Administrator, and the Zoning Administrator shall release that portion of the collateral supporting the commitment guarantee relative to the completed improvements.
3. All collateral releases shall be made in writing signed by the Zoning Administrator. Such releases shall be made in all cases as soon as practical, following the submission of a complete request, as described above.
4. The County may release 115 percent of the amount of the collateral for the required improvements completed to date, less 125 percent of the costs of the required improvements not completed; thus retaining 10 percent of the amount of the collateral for the required improvements completed to date as identified by the approved cost estimate shall be retained pending satisfaction of the warranty bond requirements of Section 7. Alternatively, the amount to be released may be 125 percent of the amount of the collateral for the required improvements completed to date, upon submission of a warranty bond in accordance with the requirements of Section 7.

#### **D. Final Acceptance**

Final acceptance of the required improvements and release of the warranty bond shall be made by resolution of the County Council in accordance with the requirements of this subsection.

#### **E. Completion of Required Improvements**

Completion of the required improvements shall be verified by the following findings:

1. Certification by the Design Engineer that the required improvements have been completed according to the approved standards and specifications;
2. Verification of the County Engineer that the required improvements have been completed according to the approved standards and specifications;
3. Presentation of signatures of final acceptance by any applicable service district(s); and
4. Submission of as-built drawings in "reproducible" hard copy and digital format in accordance with the requirements of Section 9.1.3D.

#### **F. Maintenance of Improvements.**

Upon final acceptance, maintenance of the completed improvements shall be assumed by one (1) of the following as determined by the County Council:

1. Grand County and/or other applicable service district(s); or
2. A homeowners' association formed in accordance with the requirements of Section 9.6, Mandatory Homeowners' Association.

#### **G. Warranty Bond Release**

Release of the warranty bond required by Section 9.5.5B.7, shall occur following final acceptance of the required improvements in accordance with the approved standards and specifications.

### **Section 9.6 Mandatory Homeowners' Association**

#### **9.6.1 Applicability**

When a residential subdivision contains any physical facilities, structures, improvements, systems, areas or grounds held in common and necessary or desirable for the welfare of the area or subdivision, or that are of common use or benefit and that are not or cannot be satisfactorily maintained by the County or another public agency, the County may require the establishment and creation of a mandatory homeowners' association to assume and be responsible for the continuous and perpetual operation, maintenance and supervision of such facilities, structures, improvements, systems, areas or grounds.

#### **9.6.2 Approval**

If the establishment and creation of a mandatory homeowners' association is required by the County, a copy of the agreements, covenants and restrictions establishing and creating the association must be approved by the Zoning Administrator and County Council prior to the approval of the final plat of the subdivision and must be filed of record with said final plat in the Map and Plat Records of Grand County, Utah. Said final plat shall clearly identify all facilities, structures, improvements, systems, areas or grounds that are to be operated, maintained and/or supervised by said association.

#### **9.6.3 Responsibilities**

Such mandatory homeowners' associations shall be responsible for the continuous and perpetual operation, maintenance and/or supervision of landscape systems, features or elements located in parkways, common areas, between screening walls or living screens and adjacent curbs or street pavement edges, adjacent to drainage ways or drainage structures, or at subdivision entryways. Subdivision entryway treatments or features shall not be allowed unless a mandatory homeowners' association as required herein is established and created.

#### **9.6.4 Dedications to Association**

All facilities, structures, improvements, systems, areas or grounds that are to be operated, maintained and/or supervised by a mandatory homeowners' association, other than those located in public easements or rights-of-ways, shall be dedicated by easement or deeded in fee simple ownership interest to said association. Such easements or ownership shall be clearly identified on the final plat of the applicable subdivision.

#### **9.6.5 Contents of Agreements**

At a minimum, the agreements, covenants and restrictions establishing and creating a mandatory homeowners' association required herein shall contain and/or provide for the following:

- A. Definitions of terms contained therein;

- B.** Provisions acceptable to the County for the establishment and organization of the mandatory homeowners' association and the adoption of bylaws for said association, including provisions requiring that the owner(s) of any lot or lots within the applicable subdivision and any successive buyer(s) shall automatically and mandatorily become a member of the association;
- C.** The initial term of the agreements, covenants and restrictions establishing and creating the association shall be for a 25 year period and shall automatically renew for successive 10 year periods, and the association may not be dissolved without the prior written consent of the County;
- D.** Provisions acceptable to the County to ensure the continuous and perpetual use, operation, maintenance, and/or supervision of all facilities, structures, improvements, systems, areas or grounds that are the responsibility of the association and to establish a reserve fund for such purposes;
- E.** Provisions prohibiting the amendment of any portion of the association's agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of any facilities, structures, improvements, systems, areas or grounds that are the responsibility of the association without the prior written consent of the County;
- F.** The right and ability of the County or its lawful agents, after due notice to the association, to remove any landscape systems, features or elements that cease to be maintained by the association; to perform the responsibilities of the association if the association fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the association or of any applicable County codes or regulations; to assess the association for all costs incurred by the County in performing said responsibilities if the association fails to do so; and/or to avail itself of any other enforcement actions available to the County pursuant to state law or County codes or regulations;
- G.** Provisions indemnifying and holding the County harmless from any and all costs, expenses, suits, demands, liabilities or damages, including attorney's fees and costs of suit, incurred or resulting from the County's removal of any landscape systems, features or elements that cease to be maintained by the association or from the County's performance of the aforementioned operation, maintenance or supervision responsibilities of the association due to the association's failure to perform said responsibilities;
- H.** Provisions stating that the association shall indemnifying and holding the County harmless for claims based on the county's inaction, and
- I.** Provisions stating that Grand County shall have neither the right nor the responsibility to enforce private covenants except in accordance with the provisions of Section 9.6.1 above.

## **Section 9.7 Minor Record Survey**

### **9.7.1 Purpose**

- A.** Minor record survey is intended to provide an expeditious, one-time only process for small, low impact developments no more than 3 lots, where all roads and utilities necessary to serve the subdivision are in place consistent with all applicable county standards at the time of application and the resulting lots are in compliance with the underlying zoning. Minor record survey also allows property to be subdivided where such property was lawfully and fully developed in accordance with previous County regulations.

Upon approval of a minor record survey, applicants shall be authorized to sell lots within the subdivision that is the subject of the minor record survey by deed with metes and bounds description.

**B.** These procedures may be utilized only one (1) time for each parcel of land, thereafter subdivision of such parcels shall be subject to preliminary and final plat review procedures.

### **9.7.2 Land Use Authority**

The Zoning Administrator shall be the land use authority for minor record surveys, subject to the requirements of this section.

### **9.7.3 Application and Completeness Determination**

Application must be made for minor record surveys in accordance with the requirements of Section 9.1.3, Minimum Submission Requirements. The Zoning Administrator is responsible for determining the completeness of an application submitted, pursuant to Section 9.1.6.

### **9.7.4 Review Process**

The Zoning Administrator shall take final action to approve, approve with conditions or deny such applications.

#### **A. Approval by Administrator**

The Zoning Administrator shall prepare findings of fact on the minor record survey within 15 days or within a reasonable time thereafter. At that time, the Zoning Administrator may approve the application and authorize the Chairman of the County Council to sign the survey.

#### **B. Disapproval by Administrator**

Minor record surveys that are disapproved shall be returned to the developer by the Zoning Administrator with an attached statement of the reasons for such action.

#### **C. Review by Planning Commission**

In the event of a denial of a minor record survey by the Zoning Administrator, such application shall be placed on the next Planning Commission agenda, upon request of the applicant, for final review and action in accordance with the requirements of this section.

### **9.7.5 Items for Consideration**

The Administrator shall, in taking action on the minor record survey, consider consistency with the criteria for approval of minor record surveys, consider the physical arrangement of the lots in the minor record survey, and determine the adequacy of street rights-of-way or easements, improvements and alignment relative to the street standards of Grand County, the existing street pattern in the area, the need for connections between neighborhoods and developments and with all applicable provisions of the General Plan. The Administrator shall also ascertain that adequate rights-of-way for future roads are provided, easements for proposed or future utility service and surface drainage are provided, and that the lot size and area are adequate to comply with the minimum requirements for the underlying zone district and for the type of sanitary sewage disposal proposed.

### **9.7.6 Criteria for Approval**

Major subdivision review, including Preliminary and Final Plat, shall not be required where all of the following conditions exist:

- A.** Each minor record survey shall include no more than 3 lots, each for single-family residential use.
- B.** All roads and trails needed to serve the new lots are in place adjacent to the proposed lots, and either:
- 1.** The property was fully developed in compliance with applicable County standards prior to the adoption of the LUC [January 4, 1999] and building permits were issued for a single-family dwelling on each lot, and access easements and driveways are in place that provide adequate access for residents and emergency vehicles; or
  - 2.** The property has frontage on a street or road that is either improved to County standards or accepted for County maintenance, and no new streets, roads or extensions need to be widened, dedicated or constructed.
- C.** Where sidewalk, curb and gutter are required, such improvements shall be installed by the applicant prior to Administrator's approval.
- D.** No utilities, other than individual service lines, need to be extended to serve the parcel and the necessary utilities are in place immediately adjacent to the parcel.
- E.** Drainage improvements required by Section 6.7, Drainage, are in place; or such required drainage improvements will be installed prior to the issuance of a Building Permit(s) for the subdivision lot(s), and the minor record survey includes the following note:
- Note: No Building Permit(s) shall be issued for a structure(s) on any lot(s) approved by this resolution prior to the completion of drainage improvements in accordance with the requirements of Grand County Land Use Code, Section 6.7A, Drainage Detention Basin.
- F.** There are no other problems of public concern.

#### **9.7.7 Recordation**

If the Zoning Administrator has approved and signed a certificate of written approval on the minor record survey, the minor record survey becomes the instrument to be recorded in the office of the County Recorder when all requirements have been met. The subdivider shall pay the record filing fee. If for any reason the minor record survey has not been recorded within 90 days of the Zoning Administrator's signature, the approving actions shall be deemed void.

### **Section 9.8 Recreational Subdivisions**

#### **9.8.1 Purpose**

The recreational subdivision procedure is intended to greater design flexibility for seasonal subdivision development with respect to otherwise applicable subdivision standards, where there is a reasonable expectation that the resulting lots will be occupied exclusively on a seasonal basis.

#### **9.8.2 Preapplication Conference**

Prior to the filing of a recreational subdivision plat application, the Applicant shall meet with the Zoning Administrator to acquaint himself or herself with the requirements of the County. At such meeting, the application contents, applicable referral agencies, criteria for approval of recreational subdivisions, review procedures, use and area standards, and the general character of the development may be discussed.

### **9.8.3 Submittal Requirements**

The submittal requirements for a recreational subdivision shall be the same Sketch Plan, Preliminary Plat and preliminary plat submittal requirements as specified for other subdivisions in Section 9.3.2, Section 9.4.2 and Section 9.5.1.

### **9.8.4 Application Review Procedures**

The review procedures for recreational subdivisions shall be the same Sketch Plan, Preliminary Plat and preliminary plat procedures as specified for other subdivisions in Section 9.3.3, Section 9.4.3, and Section 9.5.2.

### **9.8.5 Criteria for Approval**

- A.** The resulting lots will not be occupied long-term, but rather they will be only be occupied on a seasonal basis; and year-round, vehicular access is not available;
- B.** The proposed subdivision is sufficiently removed from other areas served by public facilities and public road maintenance as to make the extension of such public facilities and maintenance unlikely in the foreseeable future;
- C.** The proposed subdivision shall conform with the subdivision standards of Article 7, of this LUC; provided, however, where appropriate and at the discretion of the Planning Commission:
- D.** A Private Access Tract may be permitted to serve up to 6 lots in a Recreational Subdivision; and
- E.** Water hauling or an on-site cistern may be allowed for a single recreational property with water storage capacity of at least 1,000 gallons in a tank that is approved for culinary water storage; and
- F.** Each dwelling unit shall be designed and sited in conformance with the wildfire standards of Section 6.9.6 of this LUC.

## **Section 9.9 Replats and Exemption Plats**

### **9.9.1 Replats**

Replats shall be subject to all requirements of this LUC regarding final plats. The County Council may, following a public hearing and recommendation of the Planning Commission, approve a replat that is for the purpose of vacation, alteration, or amendment of a subdivision plat, of any lot, street or alley contained in a plat, provided that the replat does not remove any covenants or restrictions or increase the number of lots. Replats that remove any covenants or restrictions or increase the number of lots shall be subject to all of the requirements of this LUC regarding preliminary plats and final plats.

### **9.9.2 Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

### **9.9.3 Exemption Plats**

Exemption plats shall meet all requirements of this LUC for Final Plat, provided, however, that the County Council may approve such exemption plat without notice or hearing where the boundary or plat amendment is solely for one (1) or more of the following purposes and does not remove any covenants or restrictions or increase the number of lots.

- A.** The purpose is to correct an error in any course or distance shown on the prior plat.
- B.** The purpose is to add any course or distance that was omitted on the prior plat.

- C. The purpose is to correct an error in the description of the real property shown on the prior plat.
- D. The purpose is to indicate monuments set after death, disability, or retirement from practice of the engineer or surveyor responsible for setting the monuments.
- E. The purpose is to show the proper location or character of any monument that has been changed in location or character or that originally was shown at the wrong location or incorrectly as to its character on the prior plat.
- F. The purpose is to correct any other type of clerical error or omission in the previously approved plat.
- G. The purpose is to correct an error in courses and distances of lot lines between 2 adjacent lots where both lot owners join in the application for amendment and neither lot is abolished, provided that such amendment does not have a material adverse effect on the property rights of the owners in the plat.
- H. The purpose is to relocate a lot or boundary line in order to cure an inadvertent encroachment of a building or improvement on a lot or boundary line or on an easement.

### **Section 9.10 Lot Line Adjustments**

Application to adjust lot lines between adjacent properties may be executed upon recordation of an appropriate deed if:

- A. No new lot results from the lot line adjustment;
- B. The adjoining property owners consent to the lot line adjustment;
- C. The lot line adjustment does not result in a remnant of land that did not previously exist;
- D. The adjustment does not result in a violation of applicable zoning requirements; and
- E. The application has been reviewed and approved by the Zoning Administrator prior to recordation in Grand County Recorder's office.

### **Section 9.11 Conditional Use Permits**

#### **9.11.1 General**

A conditional use is a use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that reasonably mitigate or eliminate the detrimental impacts. Pre-existing uses that are permitted as a Conditional Use pursuant to this LUC shall be deemed to have already received conditional use permit approval; provided, however, that any change or expansion of a conditional use, whether pre-existing or otherwise, shall require a new conditional use permit pursuant to the terms of this section.

#### **9.11.2 Pre-Application Conference**

Prior to the filing of a conditional use permit application, the Applicant shall meet with the Zoning Administrator or his or her designated agent to acquaint himself or herself with the requirements of the County. As such meeting, the application contents, referral agencies, review procedures, use and area standards, and the general character of the development may be discussed.

### **9.11.3 Procedure**

#### **A. Submittal Requirements**

A conditional use permit application shall be submitted to the Zoning Administrator 30 days prior to the Planning Commission meeting at which consideration is desired. The application shall be accompanied by or show the following information on two (2) 18 X 24 plats, two (2) 11 X 17 copies, and in an electronic file ready for printing:

1. The street address and legal description of the property affected;
2. A preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property;
3. A site plan drawn to a scale deemed necessary by the Zoning Administrator. The site plan shall include:
  - a. Drives, streets, and rights-of-way;
  - b. Easements;
  - c. Location and dimensions of structures and signs;
  - d. Typical elevations of such buildings;
  - e. Access ways, including points of ingress, egress;
  - f. Landscaping;
  - g. Topography; and
  - h. Specific areas proposed for specific types of land use.
4. Any and all information, operating data and expert evaluation necessary to clearly explain the location, function and characteristics of any building or use proposed;
5. A filing fee to cover the cost of review in accordance with the fee schedule adopted by resolution of the County Council.

#### **B. Distribution of Conditional Use Applications**

The Zoning Administrator shall distribute the conditional use application immediately upon receipt to appropriate referral agencies which may include the following:

1. Zoning Administrator;
2. Grand County Engineer;
3. Grand County Water Conservancy District or Spanish Valley Water and Sewer Improvement District;
4. Moab Fire Protection District;
5. Grand County Administrator;
6. Grand County Recorder;

7. Grand County Road Superintendent; and,
8. Additional copies shall be provided to the Planning Commission prior to the Commission meeting at which the conditional use permit is considered.

#### **9.11.4 Review by Planning Commission**

Before taking action on any proposed conditional use permit, the County Council shall submit the same to the Planning Commission for its recommendation and report.

##### **A. Public Meeting Required**

The Planning Commission shall hold a public meeting on any application for conditional use permit prior to making its recommendation to the County Council.

##### **B. Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

#### **9.11.5 Action by County Council**

The County Council shall act on a conditional use permit within 30 days of the Planning Commission's recommendation or within a reasonable time thereafter.

##### **A. Public Hearing Required**

The County Council shall hold a public hearing on any application for conditional use permit prior to making its decision.

##### **B. Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

#### **9.11.6 Conditional Use Criteria**

Conditional Use Permits shall be approved where the County determines that there will be no significant negative impact upon residents of surrounding property or upon the public. The following criteria shall be considered in the application review:

##### **A. Effect on Environment**

The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property, nor cause substantial or permanent interference with the right to peaceful enjoyment of property.

##### **B. Compatible with Surrounding Area**

The proposed site plan, circulation plan and schematic architectural designs shall be complementary with the character of the surrounding area with relationship to scale, height, landscaping and screening, building coverage, and density.

##### **C. External Impacts Minimized**

The proposed use shall not have negative impacts on existing uses in the area and in the county through the creation of noise, glare, fumes and odors, dust, smoke, vibration, fire

hazard, excessive light, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to these impacts.

**D. Infrastructure Impacts Minimized**

The proposed use shall not have negative impacts on existing uses in the area and in the county through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

**E. Consistent with LUC and General Plan**

The proposed use will be consistent with the purposes of this LUC, the General Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

**F. Parcel Size**

The proposed use may be required to have additional land area, in excess of the lot area otherwise allowed by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

**9.11.7 Conditions of Approval**

**A.** The County may, in the interest of the public welfare and to assure compliance of this LUC, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any use listed as a Conditional Use Permit, the County may impose such development standards and safeguards as the conditions and location indicate important to the welfare and protection of adjacent property, the neighborhood and the county from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, traffic circulation or other undesirable or hazardous conditions. In addition, where conditional uses involve significant alteration of the landscape or pose potential threats to the scenic quality of the county, reclamation bonds may be required as deemed necessary to ensure reclamation of disturbed sites to their natural, original or other substantially beneficial condition consistent with local plans to the extent practicable, and to protect the county's recreation-base economy, as determined by the County Council. Applicant's may be required to post sufficient security, as deemed reasonably necessary by the County Council, to guarantee that the final reclamation shall be accomplished within one year of the cessation of the permitted activity/facility; a surety bond approved by the County Attorney may be acceptable.

**B.** Conditional use permits may be denied if the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with the criteria of Section 9.11.6.

**C.** Conditions of approval may include a requirement that the applicant submit an annual statement of compliance detailing how the applicant has complied with terms of the permit, including a detailed and specific report on steps taken in the prior year to comply with other applicable local, state and federal requirements and laws. The Administrator shall review and approve such annual statement where the applicant is continuing to comply with the applicable requirements of the Conditional Use Permit. Where the Administrator determines that the applicant is in violation of any requirement of this LUC or conditions of approval, the Administrator shall revoke said permit in accordance with

the requirements of Section 9.11.8. Alternatively, and at the discretion of the Administrator, such permit may be referred to the County Council for review.

#### **9.11.8 Revocation**

The Zoning Administrator may revoke a Conditional Use Permit if it is determined that:

- A.** The applicant has misrepresented any material fact on his or her application, or supporting materials;
- B.** The Conditional Use fails or ceases to comply with applicable standards, conditions or criteria for issuance of a permit;
- C.** The operation of the Conditional Use violates any statute, law, ordinance or regulation; and/or
- D.** The operation of the Conditional Use constitutes a nuisance or poses a real or potential threat to the health, safety or welfare of the public.

#### **9.11.9 Records**

Final action on Conditional Use Permits shall be documented by Resolution of the County Council and a file containing all documents relevant to the application and disposition of such Conditional Use Permits shall be maintained by the County Recorder.

#### **9.11.10 Maximum Density**

The maximum density allowed by Conditional Use Permit shall be no greater than that permitted in the underlying zone district, unless specifically authorized in this LUC.

### **Section 9.12 Constitutional Takings Review and Appeal**

In order to promote the protection of private property rights and to prevent the physical taking or exaction of private property without just compensation, the County Council, the Planning Commission, and the Zoning Administrator shall adhere to the following before authorizing the seizure or exaction of property:

#### **9.12.1 Appeal**

Any owner of private property who believes that his/her property is proposed to be "taken" by an otherwise final action of the County Council, the Commission or the Zoning Administrator may appeal the decision to the Hearing Officer within 30 days after the decision is made. The appeal must be in filed in writing with the County Recorder. The Takings Appeal Board shall hear and approve and remand or reject the appeal within 14 days after the appeal is filed. The Hearing Officer, with advice from the County Attorney, shall review the appeal pursuant to the guidelines in Section 9.12.4. The decision of the Hearing Officer shall be in writing and a copy shall be given to the appellant and to the County Council, the Commission, or Zoning Administrator that took the initial action. The Hearing Officer's rejection of an appeal shall constitute final County action.

#### **9.12.2 Submission Requirements**

The Applicant shall file two (2) hard copies and one (1) electronic copy of a petition requesting a constitutional takings review and of a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property. The petition shall be accompanied by or show the following information:

- A.** The street address and legal description of the property affected;

- B.** A detailed description of the grounds for the claim that there has been a constitutional taking and of the property taken;
- C.** Evidence and documentation as to the value of the property, including the date and cost at the date the property was acquired, both before and after the alleged constitutional taking. This should include the name of the party from whom the property was purchased, including the relationship, if any, between the person requesting a review and the party from whom the property was acquired;
- D.** Nature of the prosecutable interest claimed to be affected, such as, but not limited to, fee simple ownership or leasehold interest;
- E.** Terms (including sale price) of any previous purchase or sale or a full or partial interest in the property in the 3 years prior to the date of application;
- F.** All appraisals of the property prepared for any purpose, including financing, offering for sale, or ad valorem taxation, within the 3 years prior to the date of application;
- G.** The assessed value of ad valorem taxes on the property for the previous 3 years;
- H.** All information concerning current mortgage or other loans secured by the property, including the name of the mortgagee or lender, current interest rate, remaining loan balance and term of the loan or other significant provisions, including but not limited to, right of purchasers to assume the loan;
- I.** All listings of the property for sale or rent, price asked, and offers received, if any, within the previous 3 years;
- J.** For income producing property, an itemized income and expense statements from the property for the previous 3 years;
- K.** The County Council or their designee may request additional information reasonably necessary in their opinion, to arrive at a conclusion concerning whether there has been a constitutional taking; and
- L.** A filing fee to cover the cost of review in accordance with the fee schedule adopted by resolution of the County Council.

### **9.12.3 Takings Review Procedure**

Prior to any proposed action to exact or seize property by the County Council, the Commission or the Zoning Administrator, the County Attorney shall review the proposed action to determine if a constitutional taking requiring "just compensation" would occur. The County Attorney shall review all such matters pursuant to the guidelines established in subsection (b) herein. Upon identifying a possible constitutional taking, the County Attorney shall, in a confidential, protected writing, inform the County Council, the Planning Commission, or the Zoning Administrator of the possible consequences of its action. This opinion shall be advisory only and no liability shall be attributed to the County for failure to follow the recommendation of the County Attorney.

### **9.12.4 Takings Guidelines**

The County Attorney shall review whether the action constitutes a constitutional taking under the Fifth or Fourteenth Amendment to the Constitution of the United States, or under Article I, Section 22 of the Utah Constitution. The County Attorney shall determine whether the proposed action bears an essential nexus to a legitimate governmental interest and whether the action is roughly proportionate and reasonably related to the legitimate governmental

interest. The County Attorney shall also determine whether the action deprives the private property owner of all reasonable use of the property. These guidelines are advisory only and shall not expand or limit the scope of the County's liability for a constitutional taking.

#### **9.12.5 Annual Review**

The County Attorney shall review these guidelines annually and recommend changes as warranted by the current status of the law. Nothing herein shall prevent the County Attorney from considering subsequent legal standards established by the legislature or case law after the adoption of this section.

### **Section 9.13 Appeals of Administrative Decisions**

#### **9.13.1 Authority of Hearing Officer**

The Hearing Officer shall have powers and be subject to the limitations of 8.2 of this LUC.

#### **9.13.2 Application for Appeal**

Appeals to the Hearing Officer can be taken by any person aggrieved by any officer, department or board of the County or affected by the decision of the Zoning Administrator. Such appeal shall be taken within 30 days after the decision has been rendered by the administrative officer, by filing with the officer from whom the appeal is taken and with the Hearing Officer, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Hearing Officer all the papers constituting the record upon which the action appealed from was taken.

#### **9.13.3 Filing Fee**

A filing fee shall be submitted to cover the cost of review and processing with every appeal in accordance with the fee schedule adopted by resolution of the County Council.

#### **9.13.4 Stay of Proceedings**

An appeal shall stay all proceedings of the action appealed from unless the officer from whom the appeal is taken certifies to the Hearing Officer after the notice of appeal shall have been filed with him or her that by reason of facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order that may be granted by the Hearing Officer or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

#### **9.13.5 Hearing and Notice**

The Hearing Officer shall fix a reasonable time for the hearing of an appeal, and give the public notice as follows.

#### **9.13.6 Public Notification**

Public notice shall be made in accordance with the requirements of Section 9.1.8, Required Public notices.

#### **9.13.7 Appeals to Court**

Every decision of the Hearing Officer shall be subject to review by Certiorari, as provided by Rule 106(a)(4) Utah Rules of Civil Procedure. Such appeal may be taken by any person aggrieved or by an officer, department, or board the County. Such appeal shall be taken within such time as provided by the Utah Rules of Civil Procedure. A notice of appeal, in writing, specifying the grounds for such an appeal, shall also be filed with the Hearing Officer within 30 days of the final written Hearing Officer decision.

## **Section 9.14 Variances**

### **9.14.1 Purpose**

Variances are deviations or modifications of dimensional standards of Article 5, Lot Design Standards, including front-, side- and rear-yard (setbacks), lot width, area, and height, of the applicable zone district where development is proposed that would not be contrary to the public interest and, due to special physical site conditions, a literal enforcement of the provisions of Article 5, would result in unnecessary hardship. Variance or modification of such dimensional standards may be permitted as may be necessary to secure appropriate development of a parcel of land that differs from other parcels in the district by being of such restricted area, shape or slope so that it cannot be appropriately developed without such variance or modification.

### **9.14.2 Authority**

The Hearing Officer, in accordance with the procedures, standards and limitations of this section, shall approve, approve with conditions or disapprove an application for a variance after receiving a recommendation from the Zoning Administrator.

### **9.14.3 County Council Approval of Variances**

Alternatively and in conjunction with the review of subdivision applications, the County Council shall be authorized to grant variances subject to the requirements of this Section 9.14, Variances.

### **9.14.4 Procedure**

#### **A. Submittal Requirements**

1. The Applicant shall file two (2) hard copies and one (1) electronic copy of an application, or more if specified by the Zoning Administrator, requesting a variance. The application shall be accompanied by or show the following:
2. The street address and legal description of the property affected;
3. A site plan and any and all other information necessary to clearly demonstrate eligibility for the requested variance based upon the required findings in Section 9.14.5. below; and
4. A filing fee to cover the cost of review in accordance with the fee schedule adopted by resolution of the County Council.

#### **B. Notification Requirements**

Notification requirements for variances shall be as follows:

##### **1. Publication**

The County shall cause notice of the public hearing to be given by publication in a newspaper of general circulation (with distribution of the notice to all other local news media without any requirement for publication) in Grand County. Such notice shall state the time and place of such hearing and the nature of the subject to be considered, which time shall not be earlier than 15 days from the date of publication.

##### **2. Posting**

The Applicant shall post a sign, provided by the County, noticing the public hearing in a prominent place on the land area proposed for a variance with a notice of the hearing at least 15 days prior to the hearing. Such notice shall describe the change proposed;

the time, date, and place of the public hearing; and the name, address, and phone number of the Applicant.

### **3. Public Hearing**

A public hearing shall be held on an application for a variance. At the public hearing the Hearing Officer shall consider the application, the staff report, the relevant support materials and the public testimony given at the public hearing. After the close of the public hearing, the Hearing Officer shall vote to approve, approve with conditions or disapprove the application for a variance, pursuant to the requirements of Section 9.14.5.

### **4. Notice of Decision**

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the final decision.

#### **9.14.5 Required Findings**

In exercising its power to grant a variance in accordance with this LUC, the Hearing Officer shall make finding and show in its minutes that:

- A.** There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions and location that do not apply generally to other property in the same area and zone district;
- B.** That a variance is necessary to permit the applicant the same rights in the use of this property that are presently enjoyed under this LUC, by other properties in the vicinity and zone, but which rights are denied to the subject property;
- C.** That the granting of the variance on the specific property will not be inconsistent the General Plan of Grand County;
- D.** That the variance, if granted, will be no material detriment to the public welfare or injury to the use, enjoyment or value of property in the vicinity;
- E.** That such unnecessary hardship has not been created by the applicant; and
- F.** That the proposed use is a permitted use in the underlying zone district.

#### **9.14.6 Conditions**

The Zoning Administrator may recommend, and the Hearing Officer may impose, such conditions on a Variance Permit as are necessary to accomplish the purposes of this LUC, to prevent or minimize adverse impacts upon the public and neighborhoods and to ensure compatibility. These conditions may include but are not limited to limitations on size, bulk and location; standards for landscaping, buffering and screening, lighting and adequate ingress and egress; cash deposits, bonds and other guarantees of deposit; other on-site improvements; and limitations on the duration of the permit or hours of operation.

#### **9.14.7 Effect of Variance Permit**

##### **A. General**

Issuance of a Variance Permit shall authorize only the particular variation that is approved in the Variance Permit. A Variance Permit shall run with the land.

##### **B. Time Limit**

Unless otherwise specified in the variance approval, an application to commence construction of the improvements that were the subject of the variance request must be applied for and approved within 12 months of the date of the approval of the variance; otherwise the variance shall automatically become null and void. Permitted time frames do not change with successive owners. Upon written request, only one extension of the 12-month time frame may be granted by the Hearing Officer for a period not to exceed 12 months for good cause shown.

## **Section 9.15 Sign Permits**

### **9.15.1 Permits**

**A.** It shall be unlawful to erect, construct, reconstruct, alter, paint, or repaint, or change the use of any sign as defined in this section without first obtaining a sign permit; however, a sign permit shall not be required to repaint a sign exactly as it was permitted for the purpose of maintenance.

**B.** A one-time sign permit fee according to the International Building Code Permit Fee schedule shall be charged for each sign.

### **9.15.2 Sign Permit Application**

Application for a sign permit, where such permit is required by Section 6.5, Signs, shall be made upon forms provided by the Grand County and shall include the following information:

**A.** A drawing to scale of the proposed sign.

**B.** A drawing to scale of the site plan or building facade showing the proposed location of the sign.

**C.** Name, address and telephone number of the Applicant.

**D.** Name, address and telephone number of the owner.

**E.** Name, address and telephone number of the person or firm responsible for the erection of the sign.

**F.** Location of the building, structure or tract to which, or upon which, the sign is to be attached or erected.

### **9.15.3 Sign Permit Standards**

Sign permits shall be approved upon determination that the proposed sign(s) will be consistent with the standards of Section 6.5, Signs.

## **Section 9.16 Temporary Use Permits**

### **9.16.1 General**

Temporary use permits shall be issued by the Planning Commission, subject to the following provisions.

### **9.16.2 Zoning**

The use for which the permit is requested shall be authorized as a temporary use in the district in which the use is to be located.

### **9.16.3 Application**

Application for a temporary use permit shall be made on forms provided by the zoning administrator.

#### **9.16.4 Conditions**

The Applicant shall meet all conditions for such temporary use permit set forth in this LUC.

#### **9.16.5 Time Limit**

A time limit for the discontinuance of the temporary use shall be specified on the temporary use permit.

### **Section 9.17 Site Plan Review**

#### **9.17.1 Applicability**

Prior to the issuance of a zoning development permit or building permit for any commercial or multi-family development in any zone district, there shall be submitted to the Planning Commission for its approval a site plan.

#### **9.17.2 Purpose**

The purpose for Site Plan Review is to assist the building inspector with zoning review, which must be accomplished prior to the issuance of a zoning development permit and building permit. In this one-step review, the Planning Commission reviews proposed developments for conformance with the General Development Standards of Article 6, and applicable zoning requirements of this LUC.

#### **9.17.3 Submission Requirements**

The developer or owner shall submit the site plan drawn to an acceptable scale and with adequate copies. The scale and number of copies shall be that deemed necessary by the Zoning Administrator. The site plan shall include the following:

- A.** Parking, loading, and refuse areas;
- B.** Access ways, including points of ingress, egress;
- C.** Sidewalks and trails;
- D.** Fences and walls;
- E.** Location and dimensions of structures and signs;
- F.** Location and type of outdoor lighting;
- G.** Typical elevations of such buildings;
- H.** Landscaping and screening;
- I.** Topography;
- J.** Specific areas proposed for specific types of land use;
- K.** Lots or plots;
- L.** Any areas with slopes in excess of 30 percent;
- M.** Any areas in a natural drainage or the 100 year floodplain;
- N.** Existing and proposed easements, areas proposed for public dedication; and
- O.** Building footprint(s), water and sewer lines, easements and drainage improvements in Digital Format; if available. Digital information shall be provided in the latest version of AutoCAD, or other format compatible with the County GIS as may be

specified by the Zoning Administrator (currently preferred in State Plane Coordinates - Utah Central Zone or the Valley Coordinate System) with all measurements stated in feet.

#### **9.17.4 Action of Commission**

**A.** The Planning Commission consideration shall include the General Development Standards of Article 6, the requirements of the underlying zone district, and other aspect deemed by the County Planning and Zoning Commission necessary to consider in the interest of promoting the purposes of this LUC.

**B.** In the approval or disapproval of the site plan, the Planning Commission shall not be authorized to waive or vary conditions and requirements contained in this LUC.

**C.** Building permits in conformance with site plan. It shall be unlawful to issue a building permit prior to the approval of the site plan by the Planning Commission. No building permit shall be issued except in conformity with the approved site plan or in accordance with authorized minor changes, including all conditions of approval applied by the Planning Commission.

#### **9.17.5 Minor Changes**

Subsequent to approval of a site plan, minor changes may be authorized by the Zoning Administrator when such minor changes will not cause any of the following to occur:

- A.** A change in the character of the development;
- B.** An increase in the intensity of use;
- C.** A reduction in the originally approved separations between buildings;
- D.** An increase in the external effects, including that of outdoor lighting, on adjacent property;
- E.** A reduction in the originally approved setbacks from property lines;
- F.** An increase in the problems of circulation, safety and utilities;
- G.** An increase in the height of such buildings;
- H.** An increase of more than 20 percent or a 1,000 square feet, whichever is less, in ground coverage by structures;
- I.** A reduction in the offstreet parking;
- J.** A change in the subject, size, lighting or orientation of originally approved signs; or
- K.** A decrease in the percentage of landscaping required.

### **Section 9.18 Zoning Development Permits**

#### **9.18.1 Applicability**

**A.** No building permit may be issued and no person(s) may engage in any development (including grading) within the incorporated area of Grand County without obtaining an appropriate Zoning Development Permit. The Zoning Administrator shall require that every application for a development permit be accompanied by two (2) copies of a plan or plat showing the building, structure, or sign in sufficient detail to enable the Zoning Administrator to ascertain whether the proposed construction, reconstruction or conversion, moving and/or alteration is in conformance with the provisions of the applicable zone district and this LUC.

**B.** No Zoning Development Permit shall be issued for a building or structure on a lot which abuts a street and located on the side thereof from which all dedication has not been made according to the street plans and standards as adopted from time to time by Grand County.

**9.18.2 Revocation of Zoning Development Permits**

Failure to comply with any condition(s) of approval, as determined by the County Council, shall result in inability to obtain any rights granted conditionally thereunder, and County revocation of the Zoning Development Permit upon 30 day notice to the Developer and opportunity for hearing and County determination of non-compliance with conditions.

**9.18.3 Denial of Zoning Development Permit**

If an application for a Zoning Development Permit is not approved, the Zoning Administrator shall return the Zoning Development Permit to the applicant with a written statement detailing the reasons for such disapproval.

**9.18.4 Conflict**

Any zoning permit or building permit issued in conflict with the provisions of this LUC shall be null and void, and may not be construed as waiving any provision of this LUC.

**Section 9.19 Certificates of Occupancy**

**9.19.1 Applicability**

No building hereafter erected, converted or structurally altered shall be used or occupied and no land or nonresidential building may be changed in use unless or until a certificate of occupancy shall have been issued by the Building Official of Grand County stating that the building or proposed use of land or building complies with the provisions of this LUC and other building and health laws of Grand County.

**9.19.2 Application**

A certificate of occupancy shall be applied for coincident with the application for a Building Permit and will be issued within 10 days after the completion of the erection, alteration or conversion of such building or land provided such construction or change has been made in complete conformity to the provisions of this LUC.

**9.19.3 Record**

A record of all certificates of occupancy shall be kept on file in the office of the Building Official, and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the land or building affected.

**From:** [Bonita Kolb](#)  
**To:** [Zacharia Levine](#)  
**Subject:** message from Bonita Kolb  
**Date:** Thursday, April 7, 2016 12:34:51 PM

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Hi, Zacharia,

We would like to share some concerns with you prior to your upcoming planning commission meeting on Wed.

Article 9.1.8 section B of the LUC is supposed to be on your agenda. It describes the Notice Requirements relating to zone change requests. We hope that the County will continue to inform citizens through a Public Notice in the Times Independent. We feel that this is the most reliable means of reaching concerned parties that might be effected by a zoning change.

Regarding the practice of mailing a notice to the residence of neighbors who's properties border the potential re-zone, we do not favor this as an alternative to a Public Notice listed in the paper. The current practice of mailed notices requires that a notice be mailed to any neighbors within 100feet of the parcel requesting a zone change. This is appropriate for a city residential area, but much less for a rural community. If this mailing is to be effective that distance should be expanded to no less than 1 mile. In our neighborhood in Spanish Valley, homes/properties are frequently seperated by large fields and acre+ lots. For instance the Carmichael property is fully one third mile from our door. However, our neighborhood will be significantly effected by the eventual developement of that property. There are a number of other large parcels in the area, that are far more than 100 feet from residential property lines. I'm sure our little neighborhood is not alone in this. Thanks for your time & attention!

We are following the consideration of Tiny Houses with great interest. We also hope that the county will eventually require developers to include affordable housing units or to contribute to affordable housing efforts thru fees.

Bonita & Ken Kolb

**AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**  
**AUGUST 18, 2016**

Agenda Item: P

<b>TITLE:</b>	Approving proposed letter to Congressman Bishop clarifying Grand County's position on the draft Public Lands Initiative (PLI)
<b>FISCAL IMPACT:</b>	None
<b>PRESENTER(S):</b>	Chairwoman Tubbs

**Prepared By:**

Chairwoman Tubbs  
[etubbs@grandcountyutah.net](mailto:etubbs@grandcountyutah.net)  
(435) 259-1342

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**RECOMMENDATION:**

I move to approve the proposed letter to Congressman Bishop clarifying Grand County's position on the draft Public Lands Initiative (PLI) and authorize the Chair to sign all associated documents.

**BACKGROUND:**

In April of 2015 Grand County submitted its' recommendations regarding land use designations for inclusion in the PLI to Congressman Bishop and Congressman Chaffetz. This included maps as well as management objectives for different land use designations. In early 2016, the Congressional delegation delivered a Draft Bill to all of the participating counties. The Draft maps and designations departed substantially from what had been submitted by Grand County. The County Council submitted a letter to the delegation in March of 2016, reiterating the recommendations in the initial submission and listing a few specific areas of great concern. The County has received no official response from the Congressman.

Recently we were informed that a meeting of the delegation and the White House took place and that the outcome was very positive. The delegation is reportedly in the process of setting up meetings with Counties to provide information on the outcome.

The County is not, at this point, privy to what has been included or omitted in the Draft legislation in its' move to Washington. For this reason Grand County believes it is important to restate our position regarding the PLI.

**ATTACHMENT(S):**

1. Draft letter to be provided.



**GRAND COUNTY COUNCIL MEMBERS**  
**Elizabeth Tubbs (Chair) · Jaylyn Hawks (Vice Chair)**  
**Chris Baird · Ken Ballantyne · A. Lynn Jackson**  
**Mary McGann · Rory Paxman**

May 17, 2016

Congressman Rob Bishop  
c/o Fred Ferguson and Casey Snider  
[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)  
[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)

Representative Jason Chaffetz  
c/o Kelsey Berg  
[kelsey.berg@mail.house.gov](mailto:kelsey.berg@mail.house.gov)

Department of the Interior:  
Tommy Beaudreau (Chief of Staff): [tommy\\_beaudreau@ios.doi.gov](mailto:tommy_beaudreau@ios.doi.gov)  
Nikki Buffa (Deputy Chief of Staff): [Nicole\\_buffa@ios.doi.gov](mailto:Nicole_buffa@ios.doi.gov)

White House:  
Christy Goldfuss, Managing Director at the White House Council on Environmental Quality -  
[Christina\\_W\\_Goldfuss@ceq.eop.gov](mailto:Christina_W_Goldfuss@ceq.eop.gov)  
Michael Degnan, Deputy Associate Director at Council on Environmental Quality -  
[Michael\\_H\\_Degnan@ceq.eop.gov](mailto:Michael_H_Degnan@ceq.eop.gov)

Dear Congressman Bishop, Representative Chaffetz, et al:

The Grand County Council would like to thank you again for undertaking the Public Lands Initiative. We understand that this is not an easy task. We also understand that Congressional legislation comes with long lasting effects and consequences. We therefore feel that it is important that any Congressional lands bill relating to Grand County be well drafted and that all major concerns have been vetted and rectified.

On March 1, 2016 Grand County sent a letter outlining several concerns regarding Congressman Bishop's draft legislation. This letter entailed several very substantive concerns that we feel must be addressed. To date Grand County has not received any response to our concerns. We've attached a copy of this letter.

Additionally, on March 11, 2016 a press release regarding the Public Lands Initiative was issued that erroneously included Grand County as a signatory. We would like to make it clear that Grand County was not a signatory to this press release.

Grand County remains a partner in good faith with the Public Lands Initiative process; however, we do not support the current draft legislation. We understand that this is an iterative process, and we look forward to receiving a response to our concerns.

Sincerely,

  
Elizabeth A. Tubbs, Chair  
Grand County Council

Encl.



**GRAND COUNTY COUNCIL MEMBERS**  
**Elizabeth Tubbs (Chair) · Jaylyn Hawks (Vice Chair)**  
**Chris Baird · Ken Ballantyne · A. Lynn Jackson**  
**Mary McGann · Rory Paxman**

March 1, 2016

Honorable Congressman Rob Bishop  
c/o Fred Ferguson and Casey Snider  
[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)  
[Casey.Sneider@mail.house.gov](mailto:Casey.Sneider@mail.house.gov)

Dear Congressman Bishop;

Thank you again for providing an opportunity for Grand County to participate in the Public Lands Initiative. Grand County took the charge to develop public land designation recommendations very seriously. From the outset this was billed as a "local, bottom-up, stakeholder driven process". Over the period of more than 2 years, two different County Councils devoted substantial blocks of time to hold public workshops during which stakeholders and various interest groups had opportunities to formally present their recommendations to the Council. We held public meetings and hearings where the citizens of Grand County could express their ideas and concerns. The Council members took "straw votes" at each workshop which were then voted on in the final documents submitted to your office in March of 2015, for inclusion in the Draft Bill. As the duly elected representatives of the citizens of Grand County, we believe that this is a fair representation of compromise for our community.

There are numerous areas where the Draft Bill departs from the recommendations forwarded to you. In General, Grand County stands by the recommendations as originally presented. We respectfully request that these be re-instated in the legislation. Insofar as these were developed with the input of a variety of stakeholders, partners, and citizens, we feel the knowledge and interest of the entities and individuals on the ground should carry the greatest weight. Enclosed you will find the document which lists all of the priorities and recommendations as originally submitted, annotated with a comparison between these and the Draft Bill.

There are parts of the Draft Bill which are a major departure from our submission that we feel require special mention. These are as follows:

1. Land Conveyance to the State of Utah for the Seep Ridge Utility Corridor. Grand County expressly voted against this.
2. Land Conveyance to Grand County of the Sand Flats Recreation Area (SFRA). This was evaluated by the SFRA Stewardship Committee who does not support the conveyance, and the County Council expressly voted against this.
3. Granstaff wilderness boundary must be amended to allow for the lower portion of "The Whole Enchilada" mountain biking trail.
4. The wilderness boundary NE of Green River at the mouth of Floy Canyon was drafted by Grand County to allow for a potential mountain biking trail at the request of the City of Green River. The Discussion Draft boundaries would eliminate this possibility.

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5. The County Council voted against including Antiquities Act exemptions.
6. The County Council has officially expressed their support for the Master Leasing Plan.
7. Grand County did not designate any "Energy Planning Areas" and intended that lands within Grand County not specifically designated otherwise would be managed according to the BLM's resource management plan.
8. The "Colorado River NCA" does not include watershed management/protection as a purpose.
9. Several SITLA trade-ins are located outside of the area Grand County designated for such. And, the trade-ins around the side canyons of Labyrinth Canyon were especially addressed as being unfavorable.

There are numerous other areas which, in many cases adversely affect current use and, in some cases restrict economic opportunity. Please refer to the "comparison" notes under each section of the management objectives submitted with our original recommendations.

We look forward to continuing to work with you on developing a bill that honors the work of the many stakeholders and ultimately produces a bill which Grand County can fully support.

Respectfully,



Elizabeth A. Tubbs, Chair  
Grand County Council

cc: Congressman Chaffetz, c/o Wade Garrett, [Wade.Garrett@mail.house.gov](mailto:Wade.Garrett@mail.house.gov)  
Grand County Council

Enclosures

**GRAND COUNTY'S RECOMMENDED MANAGEMENT OBJECTIVES**  
**for Congressman Bishop's Public Lands Initiative**  
**March 31, 2015**

**Bookcliffs Area North of I-70**

1. Wilderness and Roads
  - Keep all Bookcliffs roads cherry stemmed as identified on the map (leave as is)
  - Remainder of Bookcliffs roads will be closed
  - Designate wilderness as indicated on attached map
  - Establish a right of way sufficient for maintenance and repairs of cherry stemmed roads to handle safety issues

**Comparison:**

1. There have been some subtractions and additions made to the wilderness boundaries. Of note is the subtraction of wilderness between Hay Canyon and East Canyon, some additions and subtractions around Danish Flats and Thompson Springs, and an addition near Green River (which was left out of the County recommendation at the request of the City of Green River for recreational purposes). See attached map. Grand County's recommendations is green with black dots. Congressmen's recommendations are in solid green.
2. There is the addition of the "Seep Ridge Utility Corridor" as a public purpose conveyance to the State of Utah. The Council expressly voted against this.
3. There is the creation of the "Book Cliffs Sportsmens NCA". This is also an exchange proposal roughly bounded by east and west Willow Creeks and Steer Ridge.
4. Cherry Stemmed roads appear to be the same in both proposals.

**Watershed and East Arches Area**

1. Wilderness and Roads
  - Keep all Westwater/Big Triangle/Beaver Creek roads cherry stemmed as identified on the map (leave as is)
  - Remainder of Westwater/Big Triangle/Beaver Creek roads will be evaluated in coordination with the BLM using a "no net loss" kind for kind exchange policy
  - Designate wilderness as indicated on attached map
  - Establish a right of way sufficient for maintenance and repairs of cherry stemmed roads to handle safety issues
  - Negro Bill Wilderness designation was amended from the Wilderness Study Area boundaries to accommodate a mountain biking trail
  - Mill Creek wilderness boundary was amended to include parcels that were exchanged from SITLA to BLM

### Comparison:

1. Some wilderness was subtracted from the Westwater/Beaver Creek County proposal. Wilderness was added in the Granite Creek area and the Beaver Creek wilderness was extended south into the Forest Service. See map.
2. There is the addition of wilderness in Professor Valley/Mary Jane Canyon/Fisher Valley. This doesn't appear to encapsulate the Fisher Towers or any filming locations. See map.
3. There are some wilderness additions and subtractions in the Grandstaff and Millcreek area. \*\*\*Of particular note is that the lower portion of the Whole Enchilada mountain bike trail is within the Congressmens' wilderness proposal. Grand County made certain to clip this wilderness area to facilitate this trail. Also of note is that a significant amount of wilderness is proposed within the Sand Flats SRMA (some areas of the SRMA are currently managed for natural character). There is also a public purpose conveyance of the Sand Flats SRMA, which is incompatible with a simultaneous wilderness designation. More on that below\*\*\* See Map.
4. It's not clear what will happen with the roads within proposed wilderness in this area. The draft proposal maintains our color coding (red for cherry-stemmed, and blue for 'to be evaluated').
5. The congressional draft includes a conveyance of the Sand Flats SRMA to the County. It also proposes wilderness within the same. Not sure how that is supposed to work. The Sand Flats Advisory Committee doesn't support conveying Sand Flats to County ownership, and the Council voted against it.

### 2. "Castle Valley National Conservation Area" designation

- Watershed protection applies to the USGS designated Castle Valley and Moab City watershed; within the watershed there will be elimination of large point sources of pollution and best management of vegetation and soil fertility
- No road or trail closures
- Allow filming
- Allow hunting
- No new mineral claims or leasing
- Viewshed protection for Delicate Arch
- Continued grazing
- Continued fire mitigation activities
- Allow consideration of new roads & trails
- Keep current SRMAs
- Wood gathering permits remain
- Local Advisory Committee with a request that the committee members be appointed by the Grand County Council
- Local Manager

### Comparison:

1. This NCA's boundaries were amended and parts of the County's proposal were split out into a separate Arches Park Expansion and a "Castle Valley Special Management" area. Additionally the name was changed to "Colorado River" NCA.
2. Watershed protection is specifically listed as a purpose of the "Castle Valley Special Management Area". However, watershed management is not listed as a purpose for the "Colorado River NCA".

The Moab area watershed is within the boundaries of the NCA, but not the special management area. This has the effect of providing watershed management as a purpose for the Castle Valley watershed, but not the Moab watershed (Colorado River NCA.)

3. The NCA's boundaries were amended to remove protection from the peaks of the Northern Range of the La Sal's (this area is, however, partly within the special management area); the boundaries were amended such that the NW side of the Colorado river is no longer protected (the County's NCA proposal uses the existing boundary of the 3 rivers withdrawal); the NCA proposal for the east side of Arches was converted into a park expansion (however, again, the NW side of the river was removed for some reason). A significant portion of the NCA was removed south of the Dolores/Colorado confluence.

4. The NCA and Special Management Areas remove new mineral claims, however, it is unclear if it applies to oil/gas. The area around Manns Peak/Burro Ridge appears to fall outside any congressional designation.

5. The Colorado River NCA and Castle Valley Special Management area overlap to a significant degree. I'm not sure how that is supposed to work.

6. Grazing is maintained, however, in an unorthodox manner. Current grazing flexibility is being limited by the congressional draft, levels can be increased, but not decreased. Grazing levels typically fluctuate depending on the conditions of the range.

3. Expand Utah Rims SRMA as per attached map

The boundaries appear to be the same as the County's.

4. Expand Arches National Park as per attached map

The NCA on the eastern portion of Arches was converted over to a park expansion. The boundaries are identical except that the NW side of the Colorado river is left out. The boundaries on the NW park expansion were extended north. Also of note is that land currently patented to Grand County near the boat docks are included as part of the park expansion. The current park is also proposed for wilderness (not the expansion however). Even though the map shows solid wilderness, I assume the draft really only intends wilderness as per the NPS proposal and what is currently being managed as wilderness. See map.

## Greater Big Flat Area and the Labyrinth Canyon Region

1. Wilderness

- Designate Behind the Rocks wilderness as per the attached map
- Close the mountain biking trail

Done. Our proposal and the draft are the same.

2. "Labyrinth Canyon Special Management Area" designation

- Ten Mile Canyon
  - Leave the Ten Mile Road open from Dripping Springs to the Midway road
  - Close Ten Mile Road from Midway to the Green River

Appears similar on the draft map. No specifics though in the draft.

- Establish an unconditional No Surface Occupancy area as indicated on attached map

- Unconditional NSO to apply to: oil & gas, hard rock mining, potash, and any kind of extractive industry. Ineligible for exemption or waiver.

Converted to the Labyrinth Canyon NCA. Boundaries are mostly the same excepting some state parcels and proposed state trade-ins.

- Establish an area along the Green River as mineral withdrawal and no new leasing as per attached map

This is proposed as Labyrinth Canyon wilderness in the draft. Boundaries are identical.

- All routes along the Green River in the Labyrinth Canyon Special Management Area to be open to OHV from the first of October through Easter Sunday, and closed from after Easter Sunday through the last day of September
  - The road down Spring Canyon will remain open to the river year-round for boating access
  - The B Road portion of Mineral Bottom Road will remain open year-round

The details seem to appear on the map, however the contextual details are not in the draft.

See map.

3. "Moab Recreation Area" designation comprised of the following six recreation zones, with management objectives as follows:

There are general provisions, and also area specific provisions. Again, there is the unorthodox grazing provision, which allows grazing levels to go up but never down.

- a. White Wash/Dee Pass

- Purpose:
  - OHV recreation
  - Mineral development
- Allow new motorized and non-motorized trails
- Allow all other types of recreation
- Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
- White Wash area open for cross country travel per BLM RMP

The boundaries were expanded to include upper ten mile. Otherwise seems to be the same. This area and the Utah Rims area are consolidated in the draft proposal.

- b. Monitor/Merrimac

- Purpose:
  - Recreation: Motorized, non-motorized, climbing
  - Viewshed
- Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
- Allow new motorized and non-motorized trails
- Provide protection for rare plants
- Allow existing county borrow pits
- Trade two northern SITLA parcels out
- Honor valid existing lease rights
- No new mineral claims or leasing

Boundaries appear to be retracted to the cliff line on the eastern edge. Includes prohibition of new mineral and energy leasing as a management principle, however, doesn't include withdrawal language as in the NCAs.

c. Gemini Bridges South

- Purpose:
  - Recreation: Motorized and non-motorized
  - Energy development
- Allow new non-motorized routes
- Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
- Honor valid existing lease rights
- Allow future leasing with a No Surface Occupancy stipulation
- No lease retirement
- Create a management area Advisory Committee, committee to be appointed by the County Council: Purpose to provide coordination with federal, state and county management of area
  - Representative from the oil lessees/operators
  - Representative from the motorized recreation
  - Representative from the non-motorized recreation
  - Representative from SITLA
  - Representative from the County Council
  - Representative from BLM
  - Representative from conservation community

Renamed 'Big Flat Recreation Zone'. SW boundary was considerably retracted. Advisory Committee is missing.

d. Amasa Back/Goldbar

- Purpose:
  - Recreation: Motorized and non-motorized
  - Viewshed
- Allow new non-motorized routes
- Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
- Consider biological resources in recreation management
- No new mineral claims or leasing
- Lease and claim retirement
- Trade out State lands

Boundaries appear to be the same. Management principles appear similar.

e. Bar M/Klondike (Arches West)

- Purpose:
  - Recreation – Mountain biking and climbing
  - Viewshed protection for Arches National Park
- No new mineral claims or leasing

- Trade out SITLA parcels
- Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
- Sovereign trail system remains open for OHV use
- Allow new non-motorized trails

Two large State sections appear to be retained and the boundaries are adjusted as such. Boundaries were expanded on the north end, however they conflict with the Park expansion and a SITLA trade-in on the west side of 191. Management principles are similar.

f. Mineral Canyon

- Purpose
  - Recreation: non-motorized focus
  - Viewshed
- Boating access
- No new mineral claims or leasing
- Lease and claim retirement area
- Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
- Allow new non-motorized trails
- Trade out SITLA lands
- Keep airstrip open
- Keep county borrow areas open

The boundary appears to be retracted to facilitate a State trade-in. Management principles are similar.

4. SITLA Trade-in Area

- Grand County approves SITLA trade-ins as per attached map

Significant trades are exhibited in the draft, both inside and outside of the designated area. Grand County should consider asking about royalty sharing agreements so that a major loss of mineral lease funds doesn't occur with future development.

## Other Grand County Areas

1. Wild & Scenic River Management Objectives

- Designate Wild & Scenic Rivers as per the BLM's suitability inventory (see attached maps) for the Colorado, Dolores, and Green Rivers

Appears to be the same.

2. Rights of Ways & Roads in Wilderness

- Establish a right of way sufficient for maintenance and repairs of cherry stemmed roads to handle safety issues
- "No net loss" policy for roads in Grand County consistent with the 2008 Travel Management Plan; that losses and gains are kind for kind trade outs; and will utilize the BLM's process for Travel Plan evaluation

- Valid and existing rights will be given access

There is no net-loss policy per-se. However, Title XII would grant title to all class B and D roads currently designated in the current BLM RMP travel plan. Title XII also prescribes that Grand County's travel designations will be partially honored in the Labyrinth area. It's also worth noting that not all roads in the current BLM travel plan are rs2477 claims, and not all rs2477 claims are approved in the Travel Plan.

3. Canyonlands Field Airport

- Grand County requests an area immediately adjacent to the airport, subject to a map to be prepared by the Airport Manager/Board, for a transfer of federal lands to Grand County for airport expansion purposes

Present in the draft.

Other:

In general there are several provisions in 'Title I: Wilderness' that are unorthodox or contradicted by the Wilderness Act.

The Master Leasing Plan would be nullified.

Title XI stipulates that all lands within the PLI planning area owned by the BLM and being open to extractive leasing will become 'Energy Planning Areas' with several provisions designed to expedite leasing and development. There is a small inexplicable polygon near 313/191 labeled as "Energy Plan".

Grazing provisions are not status-quo.

Title IX Red Rock Country Off-Highway Vehicle Trail is included in the draft. Not considered by the County.

Some kind of Antiquities Act restriction is anticipated.

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RESOLUTION NO. 3046

A RESOLUTION OF THE GRAND COUNTY COUNCIL  
APPROVING THE COUNCIL'S PRELIMINARY RECOMMENDATIONS, AS AMENDED,  
AS THE FORMAL RECOMMENDATIONS  
FOR DESIGNATIONS AND MANAGEMENT OBJECTIVES  
FOR CONGRESSMAN ROB BISHOP'S  
PROPOSED PUBLIC LANDS INITIATIVE

**WHEREAS**, on March 31, 2015, the Grand County Council voted to approve the Council's preliminary recommendations from the open, public County Council Workshops of February 23<sup>rd</sup>, March 2<sup>nd</sup>, March 9<sup>th</sup>, March 16<sup>th</sup>, and March 31<sup>st</sup>, 2015, as amended on March 31<sup>st</sup>, 2015, as the formal recommendations for designations and management objectives to submit to Congressman Rob Bishop for the proposed Public Lands Initiative; and

**WHEREAS**, Exhibit A is the cover letter and regional map sent to Congressman Bishop on April 9, 2015, such letter having been ratified by the County Council in an open public meeting of April 21, 2015; and

**WHEREAS**, Exhibit B details Grand County's recommended designations and management objectives submitted to Congressman Bishop; and

**WHEREAS**, Exhibit C illustrates in map form Grand County's recommended proposal that has been submitted to Congressman Bishop.

**NOW, THEREFORE, BE IT RESOLVED** that on April 21, 2015 the Grand County Council ratified a letter sent to Congressman Bishop April 9, 2015 (Exhibit A), and that on March 31, 2015 the Grand County Council formally approved the Council's preliminary recommendations from several open, public County Council workshops in 2015, as amended, as the formal recommendations for designations and management objectives (Exhibit B), with mapped boundaries (Exhibit C), representing Grand County's recommended proposal for Congressman Rob Bishop's proposed Public Lands Initiative.

**RESOLUTION PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this 5<sup>th</sup> day of May 2015, by the following vote:

*Those voting aye: Tubbs, Hawks, Baird, McGann*

*Those voting nay: Ballantyne, Jackson, Paxman*

*Absent:*

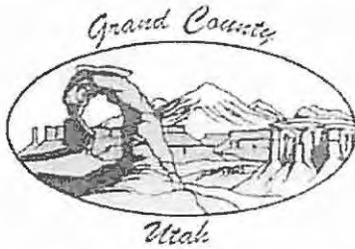
**ATTEST:**

**Grand County Council**

  
\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

  
\_\_\_\_\_  
Elizabeth A. Tubbs, Chair





GRAND COUNTY COUNCIL MEMBERS  
Elizabeth Tubbs (Chair) · Chris Baird (Vice Chair)  
Ken Ballantyne · Jaylyn Hawks · A. Lynn Jackson  
Mary McGann · Rory Paxman

April 9, 2015

Honorable Rob Bishop  
c/o Fred Ferguson and Casey Snider  
[Fred.Ferguson@mail.house.gov](mailto:Fred.Ferguson@mail.house.gov)  
[Casey.Snider@mail.house.gov](mailto:Casey.Snider@mail.house.gov)

Dear Congressman Bishop:

Thank you once again for the opportunity to resolve several long-standing public land use issues via your willingness to act as our congressional sponsor for a public lands bill.

On March 31<sup>st</sup> of this year the Grand County Council met in a Special Meeting to vote on the final recommendations for inclusion in your bill. The meeting was the culmination of many months of work by two different councils, public input, public hearings and an extensive public comment period. Over the past several weeks Grand County has submitted preliminary recommendations, based on outcomes and "straw" votes during our on-going workshops, so that our recommendations could be included in your draft map. Since your time-frame to publish the draft map has somewhat changed, we would now like you to consider only our final recommendations, approved by a majority vote of the council, for inclusion in the draft map. Note that our final vote included some amendments to previous "straw" votes. Grand County's final overall map and specific shape files are downloadable from <http://grandcountyutah.net/306/Public-Lands-Recommendation-Mar-31>. And the final recommended management objectives, including designations outlined below, are attached (and also available online).

You may recall that, for purposes of efficiency, we divided the County into three regional areas (Bookcliffs Area North of I-70, Watershed and East Arches Area, and Greater Big Flat Area & Labyrinth Canyon Region). We have also established "Other Grand County Areas" that cross these regional areas. The regional map is again provided, and the recommended management objectives reference these regions.

Attached are management objectives (as illustrated on the map for the following:

- Bookcliffs Area North of I-70
  - Wilderness and roads
  
- Watershed and East Arches Area
  - Wilderness and roads
  - "Castle Valley" NCA designation
  - "Utah Rims" OHV SRMA expansion
  - Arches National Park expansion
  
- Greater Big Flat Area and Labyrinth Canyon Region
  - Wilderness
  - "Labyrinth Canyon" Special Management Area designation

Council's Office · 125 E. Center St. · Moab, UT 84532 · (435) 259-1346 · [www.grandcountyutah.net](http://www.grandcountyutah.net)

- “Moab” Recreation Area designation to include six management zones (White Wash/Dee Pass; Monitor/Merrimac; Gemini Bridges South; Amasa Back/Gold Bar; Bar M/ Klondike (Arches West); and Mineral Canyon)
- SITLA trade-in area
- Other Grand County Areas
  - Wild & Scenic River management objectives
  - Rights of ways & roads in wilderness
  - Canyonlands Field Airport expansion/request of federal lands

I would like to add that much of the work that went into developing the management objectives for the areas/designations listed above was accomplished by a multi-stakeholder group loosely referred to as the Big Flats Workgroup. This group, led by two Council Members during 2014, met numerous times to hash out solutions to issues in an area where many interests compete. The road to forwarding these recommendations would have been a lot longer and more difficult to navigate without that foundation. The newly seated Council involved in this process has participated in many meetings and has had to quickly become familiar with many complex issues to bring this to a conclusion. Although the Council and the community have not reached consensus, we hope that everyone will find the resulting compromise acceptable.

It is important to note that, at the beginning of this process in 2013, a Council study committee was designated who developed three alternatives initially to be considered for inclusion in the public lands bill. All three alternatives included a recommendation to set aside a swath of land for a potential “transportation corridor” through the Bookcliffs, from Uinta County/Grand County border to I-70. During subsequent workshops, however, this concept was not supported by a majority of the Council and, you will note, it is not a recommendation forwarded by Grand County. Likewise, language relating to the Antiquities Act was also not supported by a majority of the Grand County Council and is not included in our proposal, though we recognize that this may be incorporated regardless.

It is also important to note that the accuracy of the shape files are intended only to be illustrative of our intentions. However, where existing landmarks (such as roads, trails, property boundaries, political boundaries, etc.) exist it will be necessary to seek more authoritative data. While most of our boundaries will likely be self-evident, some may come from data that you may not have (local trail systems, watershed boundaries, etc.). Feel free to contact us with any questions as we would be happy to clarify.

Once again, thank you for championing a locally derived solution to federally owned land management in Grand County. If you have any questions please feel free to contact us.

Sincerely,

  
Elizabeth A. Tubbs, Chair  
Grand County Council

cc: Congressman Chaffetz, c/o Wade Garrett. [Wade.Garrett@mail.house.gov](mailto:Wade.Garrett@mail.house.gov)  
Grand County Council

Attachments: Recommended management objectives: map & .shp files (online)

Council's Office · 125 E. Center St. · Moab, UT 84532 · (435) 259-1346 · [www.grandcountyutah.net](http://www.grandcountyutah.net)

# Public Lands Initiative Divisions



## Legend

Bookcliffs

Greater Big Flats

Watershed & E. Arches

**EXHIBIT B**  
**Recommended Designations and Management Objectives**

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**GRAND COUNTY'S RECOMMENDED MANAGEMENT OBJECTIVES**  
**for Congressman Bishop's Public Lands Initiative**  
**March 31, 2015**

**Bookcliffs Area North of I-70**

1. Wilderness and Roads
  - Keep all Bookcliffs roads cherry stemmed as identified on the map (leave as is)
  - Remainder of Bookcliffs roads will be closed
  - Designate wilderness as indicated on attached map
  - Establish a right of way sufficient for maintenance and repairs of cherry stemmed roads to handle safety issues

**Watershed and East Arches Area**

1. Wilderness and Roads
  - Keep all Westwater/Big Triangle/Beaver Creek roads cherry stemmed as identified on the map (leave as is)
  - Remainder of Westwater/Big Triangle/Beaver Creek roads will be evaluated in coordination with the BLM using a "no net loss" kind for kind exchange policy
  - Designate wilderness as indicated on attached map
  - Establish a right of way sufficient for maintenance and repairs of cherry stemmed roads to handle safety issues
  - Negro Bill Wilderness designation was amended from the Wilderness Study Area boundaries to accommodate a mountain biking trail
  - Mill Creek wilderness boundary was amended to include parcels that were exchanged from SITLA to BLM
  
2. "Castle Valley National Conservation Area" designation
  - Watershed protection applies to the USGS designated Castle Valley and Moab City watershed; within the watershed there will be elimination of large point sources of pollution and best management of vegetation and soil fertility
  - No road or trail closures
  - Allow filming
  - Allow hunting
  - No new mineral claims or leasing
  - Viewshed protection for Delicate Arch
  - Continued grazing
  - Continued fire mitigation activities
  - Allow consideration of new roads & trails
  - Keep current SRMAs
  - Wood gathering permits remain
  - Local Advisory Committee with a request that the committee members be appointed by the Grand County Council

- 
- Local Manager
3. Expand Utah Rims SRMA as per attached map
  4. Expand Arches National Park as per attached map

### **Greater Big Flat Area and the Labyrinth Canyon Region**

1. Wilderness
  - Designate Behind the Rocks wilderness as per the attached map
  - Close the mountain biking trail
2. "Labyrinth Canyon Special Management Area" designation
  - Ten Mile Canyon
    - Leave the Ten Mile Road open from Dripping Springs to the Midway road
    - Close Ten Mile Road from Midway to the Green River
  - Establish an unconditional No Surface Occupancy area as indicated on attached map
    - Unconditional NSO to apply to: oil & gas, hard rock mining, potash, and any kind of extractive industry. Ineligible for exemption or waiver.
  - Establish an area along the Green River as mineral withdrawal and no new leasing as per attached map
  - All routes along the Green River in the Labyrinth Canyon Special Management Area to be open to OHV from the first of October through Easter Sunday, and closed from after Easter Sunday through the last day of September
    - The road down Spring Canyon will remain open to the river year-round for boating access
    - The B Road portion of Mineral Bottom Road will remain open year-round
3. "Moab Recreation Area" designation comprised of the following six recreation zones, with management objectives as follows:
  - a. White Wash/Dee Pass
    - Purpose:
      - OHV recreation
      - Mineral development
    - Allow new motorized and non-motorized trails
    - Allow all other types of recreation
    - Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
    - White Wash area open for cross country travel per BLM RMP
  - b. Monitor/Merrimac
    - Purpose:

- 
- Recreation: Motorized, non-motorized, climbing
  - Viewshed
  - Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
  - Allow new motorized and non-motorized trails
  - Provide protection for rare plants
  - Allow existing county borrow pits
  - Trade two northern SITLA parcels out
  - Honor valid existing lease rights
  - No new mineral claims or leasing
- c. Gemini Bridges South
- Purpose:
    - Recreation: Motorized and non-motorized
    - Energy development
  - Allow new non-motorized routes
  - Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
  - Honor valid existing lease rights
  - Allow future leasing with a No Surface Occupancy stipulation
  - No lease retirement
  - Create a management area Advisory Committee, committee to be appointed by the County Council: Purpose to provide coordination with federal, state and county management of area
    - Representative from the oil lessees/operators
    - Representative from the motorized recreation
    - Representative from the non-motorized recreation
    - Representative from SITLA
    - Representative from the County Council
    - Representative from BLM
    - Representative from conservation community
- d. Amasa Back/Goldbar
- Purpose
    - Recreation: Motorized and non-motorized
    - Viewshed
  - Allow new non-motorized routes
  - Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
  - Consider biological resources in recreation management
  - No new mineral claims or leasing
  - Lease and claim retirement
  - Trade out State lands

- 
- e. **Bar M/Klondike (Arches West)**
    - Purpose:
      - Recreation – Mountain biking and climbing
      - Viewshed protection for Arches National Park
    - No new mineral claims or leasing
    - Trade out SITLA parcels
    - Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
    - Sovereign trail system remains open for OHV use
    - Allow new non-motorized trails

- f. **Mineral Canyon**
  - Purpose
    - Recreation: non-motorized focus
    - Viewshed
  - Boating access
  - No new mineral claims or leasing
  - Lease and claim retirement area
  - Follow RMP Travel Management Plan (baseline); allow adjustments per BLM/County consultation process for additions or deletions of roads
  - Allow new non-motorized trails
  - Trade out SITLA lands
  - Keep airstrip open
  - Keep county borrow areas open

- 4. **SITLA Trade-in Area**
  - Grand County approves SITLA trade-ins as per attached map

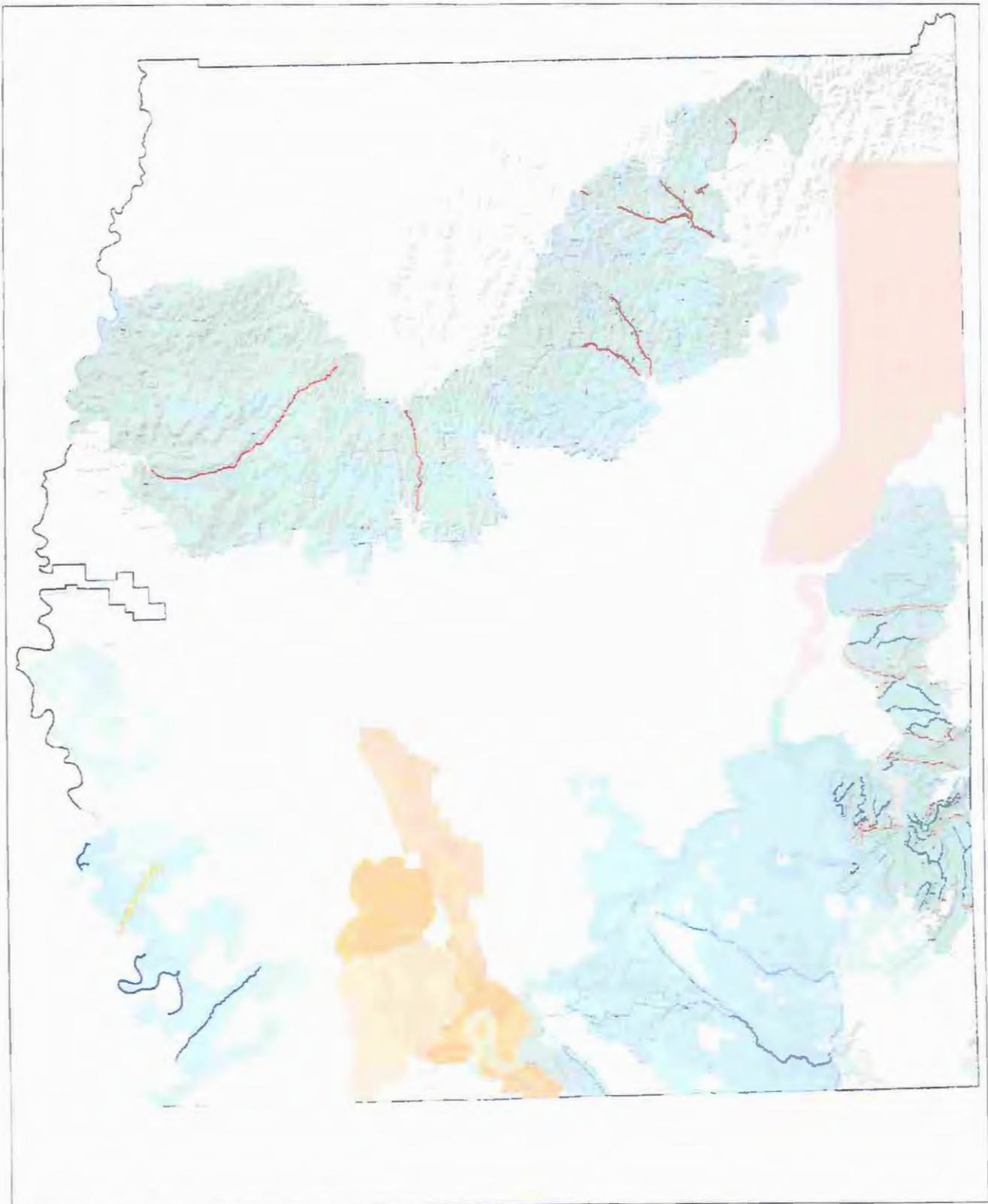
#### **Other Grand County Areas**

- 1. **Wild & Scenic River Management Objectives**
  - Designate Wild & Scenic Rivers as per the BLM's suitability inventory (see attached maps) for the Colorado, Dolores, and Green Rivers
- 2. **Rights of Ways & Roads in Wilderness**
  - Establish a right of way sufficient for maintenance and repairs of cherry stemmed roads to handle safety issues
  - "No net loss" policy for roads in Grand County consistent with the 2008 Travel Management Plan; that losses and gains are kind for kind trade outs; and will utilize the BLM's process for Travel Plan evaluation
  - Valid and existing rights will be given access
- 3. **Canyonlands Field Airport**
  - Grand County requests an area immediately adjacent to the airport for a transfer of federal lands to Grand County for airport expansion purposes

**EXHIBIT C**  
**Map of Grand County's Recommended Proposal**

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# Grand Co. Public Lands Initiative Recommendations



## Wilderness

- Wilderness
- Undecided Roads
- Cherry-Stemmed Roads

## Labyrinth Special Management Area

- Labyrinth - Unconditional NSD
- Labyrinth Mineral/Leasing Withdrawal
- Seasonal Closure
- Tenmile Route Closed

## Grand Co. Recreation Areas

- OHV Expansion - Dee Pass
- OHV Expansion - Utah Rims
- Recreation Area - Big Flat**
- Anasazi Back - Gold Bar
- De' M - Kionoke
- Munter Merrimack
- Gemm's Bridges - Big Flat
- Mineral Canyon

## Arches Expansion

- C.V. National Conservation Area
- SITLA Trade-in Area
- Grand County Border
- Moab Watershed
- Castle Valley Watershed

## Wild & Scenic Suitability

- Recreational
- Scenic
- Wild



**GRAND COUNTY COUNCIL MEMBERS**  
**Elizabeth Tubbs (Chair) · Jaylyn Hawks (Vice Chair)**  
**Chris Baird · Ken Ballantyne · A. Lynn Jackson**  
**Mary McGann · Rory Paxman**

May 17, 2016

Mr. Lance Porter  
District Manager, Canyon Country District  
Bureau of Land Management  
82 East Dogwood  
Moab, Utah 84532

RE: Administrative Draft of the Moab Master Leasing Plan FEIS Recommendations

Dear Mr. Porter:

The Grand County Council wishes to again acknowledge the tremendous task undertaken by the Bureau of Land Management (BLM) to develop the Draft Master Leasing Plan (MLP)/ Final Environmental Impact Statement (FEIS). In November 2015, we provided you with our feedback, concerns and recommendations for inclusion in the MLP. As a cooperating agency we trust that our comments received the highest level of consideration.

We wish to reiterate that we believe the designations and management objectives developed in the County's process over the last few years for potential inclusion in Congressman Bishop's Public Lands Initiative (PLI) best reflect the needs of our diverse community and will safeguard the various economic, social and environmental assets for the future of Grand County.

We therefore respectfully request that you incorporate into the MLP the following:

1. Maps and designations found in the final recommendations to the PLI as pertain to oil, gas, and potash development (attached)
2. Management objectives for each designated area found in the PLI as pertain to oil, gas, and potash development (attached)

In November 2015, the Council also recommended changes and clarification to the Draft MLP, Chapter 2 as it pertains to Potash Leasing, and we trust that our specific comments were considered.

The Grand County Council believes that the recommendations for inclusion in the MLP will enhance the ability of the extraction and the outdoor recreation industries to continue to work together in harmony, while also protecting valuable environmental and other assets. These factors are critical to the future economic, social and environmental well-being of Grand County and its' citizens.

We thank you again for your consideration of our recommendations and look forward to completion of this process.

Sincerely,

  
Elizabeth A. Tubbs,  
Grand County Council Chair

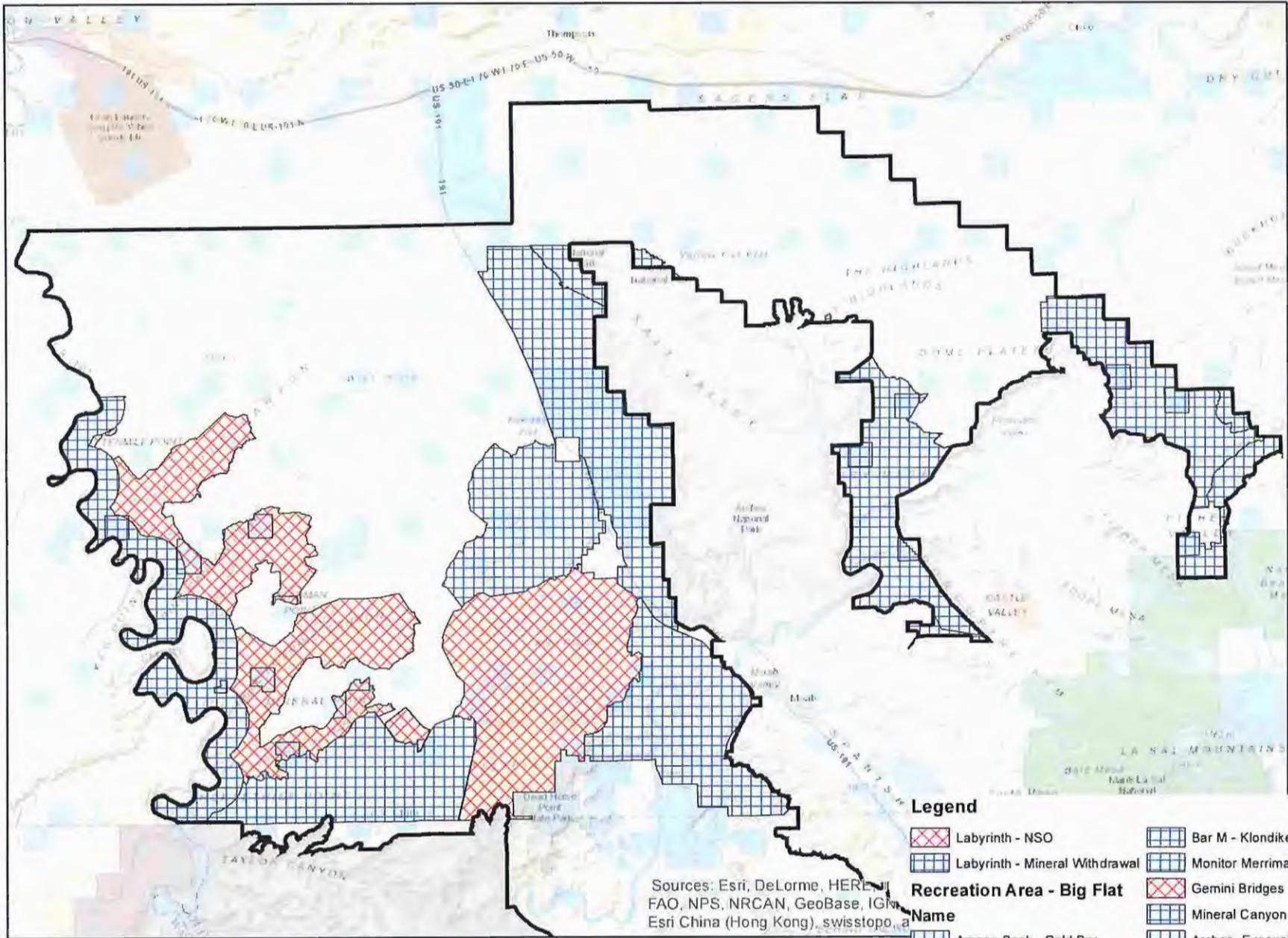
**Attachments:**

**Grand County MLP Comments Oil & Gas from PLI Map**

**MLP Comments Pertaining to Oil & Gas**

# Grand County MLP Comments

## Oil & Gas from PLI



## **MLP COMMENTS PERTAINING TO OIL & GAS AS PER:**

### **GRAND COUNTY'S RECOMMENDED MANAGEMENT OBJECTIVES for Congressman Bishop's Public Lands Initiative November 17, 2015**

#### **Watershed and East Arches Area**

1. Wilderness
  - Designate wilderness as indicated on attached map
2. "Castle Valley National Conservation Area" designation
  - No new mineral claims or leasing
3. Expand Arches National Park as per attached map

#### **Greater Big Flat Area and the Labyrinth Canyon Region**

1. "Labyrinth Canyon Special Management Area" designation
  - Establish an unconditional No Surface Occupancy area as indicated on attached map
    - Unconditional NSO to apply to: oil & gas, hard rock mining, potash, and any kind of extractive industry. Ineligible for exemption or waiver.
  - Establish an area along the Green River as mineral withdrawal and no new leasing as per attached map
2. "Moab Recreation Area" designation comprised of the following six recreation zones, with management objectives as follows:
  - a. Monitor/Merrimac
    - Honor valid existing lease rights
    - No new mineral claims or leasing
  - b. Gemini Bridges South
    - Purpose:
      - Recreation: Motorized and non-motorized
      - Energy development
    - Honor valid existing lease rights
    - Allow future leasing with a No Surface Occupancy stipulation
    - No lease retirement

- c. Amasa Back/Goldbar
  - No new mineral claims or leasing
  - Lease and claim retirement
  
- d. Bar M/Klondike (Arches West)
  - No new mineral claims or leasing
  
- e. Mineral Canyon
  - No new mineral claims or leasing
  - Lease and claim retirement area

## **Other Grand County Areas**

1. Wild & Scenic River Management Objectives
  - Designate Wild & Scenic Rivers as per the BLM's suitability inventory (see attached maps) for the Colorado, Dolores, and Green Rivers

**AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**  
**MAY 17, 2016**

Agenda Item: R

<b>TITLE:</b>	Approving Council Membership/Subscription Renewals for 2016-2017
<b>FISCAL IMPACT:</b>	\$1,400 is budgeted for 2016 Council Subscriptions & Memberships
<b>PRESENTER(S):</b>	Ruth Dillon, Council Administrator

**Prepared By:**

Ruth Dillon  
 Council Administrator  
 (435) 259-1347  
 rdillon@grandcountyutah.net

**FOR OFFICE USE ONLY:**

**Attorney Review:**

N/A

**RECOMMENDATION:**

I move to approve payment from the Council Subscriptions & Memberships line item, as proposed, for renewal of the following:

Organization	Annual Amount	Council Budget	Status
<b>Moab Chamber of Commerce</b>	\$275	Subscriptions & Memberships	Needs renewal 5/2016
<b>National Association of Counties (NACo)</b>	\$450	Subscriptions & Memberships	Paid based on 2015 approval
<b>Public Lands News</b>	\$297	Subscriptions & Memberships	Needs renewal as of 1/2016
<b>Federal Parks &amp; Recreation</b>	\$257	Subscriptions & Memberships	Needs renewal as of 1/2016
<b>Total Proposed</b>	<b>\$1,279.00</b>		
<b>Subscription &amp; Memberships Budget</b>	<b>\$1,400.00</b>		
<b>Balance</b>	<b>= \$121.00</b>		

**BACKGROUND:**

The subscriptions/memberships listed in the table above were approved by Council on February 17, 2015.

**ATTACHMENT(S):**

1. Moab Area Chamber of Commerce Invoice
2. NACo Grand County Membership Dues
3. Resources Publishing Co. - Public Lands News
4. Resources Publishing Co. - Federal Parks & Recreation



Moab Chamber of Commerce  
 217 E Center Street Suite #250  
 Moab, UT 84532  
 (435) 250-7814 | fax (435) 250-8519  
 info@moabchamber.com

# Invoice

Invoice Date: 4/26/16  
 Invoice Number: 1571

Grand County Council  
 Ruth Dillon  
 125 East Center  
 Moab, UT 84532

Thank you for supporting the chamber!

Renewal Period: May 2016 - April 2017

Description	Quantity	Rate	Amount
Basic Membership includes referrals, listing in Membership Directory, public meeting and community events info, membership announcements and activities, training and professional growth info, member's events, hot deals, and job announcements posted on Chamber website.	1	\$275.00	\$275.00
Subtotal:			\$275.00
Tax:			\$0.00
Total:			\$275.00
Payment/Credit Applied:			\$0.00
Balance:			\$275.00

Keep this portion for your records

**FROM:**  
 Grand County Council  
 Ruth Dillon  
 125 East Center  
 Moab, UT 84532

Invoice # 1571  
 Amount Due: \$275.00

Please remit payment to:  
 Moab Chamber of Commerce  
 217 E Center Street Suite #250  
 Moab, UT 84532

Amount Paid: \_\_\_\_\_



National Association of Counties  
 PO Box 79007  
 Baltimore, MD 21279-0007  
 Phone: 888-407-NACo (6226) x291  
 Direct: 302-942-4291  
 Fax: 800-457-1825  
 Email: [info@nacounty.org](mailto:info@nacounty.org)

RECEIVED  
 DELAWARE  
 GRAND COUNTY

ID: 49919  
 Ms. Diana Carroll  
 Clerk/Auditor  
 Grand County  
 125 E Center St  
 Moab, UT 84532-2429

**Statement**

Invoice #: 132452  
 Invoice Date: 9/20/2015

**Description**

**Dues Amount**

**County Membership Dues**

01/01/2015 - 12/31/2015

\$450

NACo knows you have a difficult job. Counties are continually asked to do more with less. Federal unfunded mandates and unnecessary regulations make your job harder. Get you away working on the above, NACo is here to help.

With our timely advocacy for county interests in Washington, DC, our essential cost-saving tools to save your county money and data-driven research into county solutions, NACo believes that stronger counties lead to a stronger America.

Membership in NACo connects you with an important support network to help you excel in county government. Please return this statement to renew your membership for 2016 and submit the enclosed How to Help You card to connect with all of NACo's programs and resources.

If you need additional information, please contact Alex Kormaney-Palocz, Membership Coordinator, at 1-888-407-NACo (6226) x291 or e-mail [akpalocz@nacounty.org](mailto:akpalocz@nacounty.org)

Amount Paid:   
 Amount Due: 3450

*PAID  
 10/20/16*

◆ PLEASE DETACH AND RETURN WITH PAYMENT ◆

ID: 49919  
 Ms. Diana Carroll  
 Grand County  
 125 E Center St  
 Moab, UT 84532-2429

Invoice #: 132452

Remit Payment To:  
 National Association of Counties  
 PO Box 79007  
 Baltimore, MD 21279-0007

Select the Method of Payment on Reverse Side

We encourage you to submit payments electronically by ACH credit  
 Bank Routing # (ABA) - 021051063 Account # 53494857

## Bryony Chamberlain

---

**From:** Public Lands News <james@publiclandnewsletter.com>  
**Sent:** Tuesday, January 05, 2016 8:14 AM  
**To:** Council  
**Subject:** Public Lands News renewal due

Account: PL #9795

Your subscription to *Public Lands News* is about to expire.

Dear Subscriber:

Your last issue of *Public Lands News* follows shortly. Remember. . . renewal is not automatic. We need your authorization.

Your renewed subscription will extend:

From: March 1, 2016  
Expire: February 28, 2017

You may reactivate your subscription 1. By mail; 2. By a phone call to (703) 553-0552 (Visa and MasterCard accepted); or 3. By FAX to (703) 553-0558.

**Renew today!**

1 years \$297  
2 years \$535

Cordially,  
Gerrie Castaldo  
Subscription Manager

<b>Public Lands News</b> ____ 1 year (24 issues - electronic) \$297 ____ 2 years \$535 <input type="checkbox"/> Payment enclosed <input type="checkbox"/> Charge my credit card ( <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard)  Card # _____ Expiration date _____ Name on card _____ Signature _____ Phone _____  <input type="checkbox"/> Bill My Organization <b>MAIL BILL TO:</b>  Name _____ Address _____  City _____ State _____ Zip _____ Phone _____	<b>SHIP TO: PL#9795</b>  Name _____  Title _____  Address _____  City _____ State _____ Zip _____  Phone _____ Email: _____  <b>RETURN TO:</b> <b>Public Lands News, PO Box #41320</b> <b>Arlington VA 22204</b> <b>Phone: to (703) 553-0552 Fax (703) 553-0558</b>
---	---

# Bryony Chamberlain

---

**From:** Federal Parks & Rec <james@federalparksandrec.com>  
**Sent:** Tuesday, January 05, 2016 7:34 AM  
**To:** Council  
**Subject:** Federal Parks & Rec renewal due

Account: FP #9527

## LAST ISSUE!

Dear Subscriber:

Your subscription to *Federal Parks and Recreation* is about to expire.

Your last issue of *Federal Parks and Recreation* follows shortly. Remember. . . renewal is not automatic. We need your authorization.

Your renewed subscription will extend:

From: March 1, 2016  
Expire: February 28, 2017

You may reactivate your subscription 1. By mail from the order form enclosed;  
2. By a phone call to (703) 553-0552 (Visa and MasterCard accepted); or 3. By FAX to (703) 553-0558.

**Renew today!**  
1 years \$257  
2 years \$463

Cordially,  
Gerrie Castaldo

Subscription Manager

<b>Federal Parks and Recreation</b> ____ 1 year (24 issues - electronic) \$257 ____ 2 years \$463 <input type="checkbox"/> Payment enclosed <input type="checkbox"/> Charge my credit card ( <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard)  Card # _____ Expiration date _____ Name on card _____ Signature _____ Phone _____  <input type="checkbox"/> Bill My Organization <b>MAIL BILL TO:</b>  Name _____ Address _____	<b>SHIP TO: FP #9527</b>  Name _____  Title _____  Address _____  City _____ State _____ Zip _____  Phone _____ Email: _____  <b>RETURN TO:</b>
---	--

<p>City _____ State _____ Zip _____ Phone _____</p>	<p><b>Federal Parks and Recreation</b> PO Box #41320, Arlington VA 22204 Phone: to (703) 553-0552 Fax (703) 553</p>
---	---

**CONSENT AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**  
**MAY 17, 2016**

Consent Agenda Item: S-T

<b>TITLE:</b>	S. Approving proposed contract amendment No. 1 between the State of Utah Administrative Office of the Courts and Grand County for Bailiff and Security Services for July 1, 2016 through June 30, 2017  T. Ratifying the Chair's signature on a letter of support submitted on behalf of the Moab Small Business Development Center and Business Resource Center for a Business Expansion and Retention (BEAR) grant proposal
<b>FISCAL IMPACT:</b>	See Corresponding Agenda Summary, if any
<b>PRESENTER(S):</b>	None

**Prepared By:**

Bryony Chamberlain  
Council Office Coordinator  
435-259-1346  
bchamberlain@grandcountyutah.net

**RECOMMENDATION:**

I move to adopt the consent agenda as presented and authorize the Chair to sign all associated documents.

**BACKGROUND:**

See corresponding agenda summary, if any, and related attachments.

**ATTACHMENT(S):**

See corresponding agenda summary, if any, and related attachments.

**FOR OFFICE USE ONLY:**

**Attorney Review:**  
N/A

**AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**

**MAY 17, 2016**

Agenda Item: S

<b>TITLE:</b>	Approving proposed contract between the State of Utah Administrative Office of the Courts and Grand County for Bailiff and Security Services July 1, 2016 through June 30, 2017
<b>FISCAL IMPACT:</b>	County Receives \$17,555
<b>PRESENTER(S):</b>	Sheriff White

**Prepared By:**

Bryony Chamberlain  
Council Office  
Coordinator

**FOR OFFICE USE ONLY:**

**Attorney Review:**

None Requested

**RECOMMENDATION:**

I move to approve the proposed contract between the State of Utah Administrative Office of the Courts and Grand County for bailiff and security services July 1, 2016 through June 30, 2017, and authorize the Chair to sign all associated documents.

**BACKGROUND:**

The Sheriff has reviewed and approves of the proposed contract and requests that the contract be approved by Council.

**ATTACHMENT(S):**

1. Proposed Contract



## Seventh Judicial District

Terri Yelonek  
Court Executive

Seventh District Court  
Seventh District Juvenile Court

April 28, 2016

Re: FY17 Security Contract

Dear Sheriff White,

Please find included with this letter, the new security contract for fiscal year 2017. This contract will be effective on July 1, 2016. Please review the document with the County Attorney, the County Commission and obtain the necessary signatures to complete the contract agreement. Please return the signed document to me before May 27<sup>th</sup> so that I can forward the contract to the Administrative Office of the Courts to be finalized timely.

Thank you,

Terri Yelonek,  
7<sup>th</sup> Judicial District  
Trial Court Executive



STATE OF UTAH
CONTRACT

CONTRACT # 152088 AMENDMENT # 1

Table with 4 columns: Vendor#, 22710H, CommCd, 00000

TO BE ATTACHED TO AND MADE PART OF the above numbered contract by and between the State of Utah, Administrative Office of the Courts, referred to as State and Grand County Sheriff.

THE PARTIES AGREE TO THE CONTRACT AS FOLLOWS:

- 1. Contract period: 07/01/16 Effective Date
06/30/17 Termination Date unless terminated early or extended in accordance with the terms and conditions of this contract.
Renewal options: Unlimited (they are required by statute to provide these services). All payments under this contract will be completed within 90 days after the Termination Date.

2. Contract amount:

Table with 5 columns: Hrs Allotted, Hrly Rate, Contract Amt, Total. Rows: Bailiff Security, Perimeter Security

- 3. Attachment A: Terms & Conditions: Utah Code Reference numbers updated sections 1 and 9; Wording change section 5
All other conditions and terms in the original contract and amendments remain the same.

4. Contact Information:

Courts: Seventh District & Juvenile Court County: Grand County Sheriff
Attn: Terri Yelonek Attn: Steven White
Addr: 149 East 100 South Addr: 25 South 100 East
City/Zip: Price 84501 City/Zip: Moab 84532
Phone: 435 636-3400 Phone: 435 259-8115
E-mail: terriy@utcourts.gov E-mail: swhite@grandcountysheriff.org

IN WITNESS WHEREOF, the parties sign and cause the contract to be executed.
COUNTY AOC

County Commission
County Sheriff (Signature) 5/18/16

State Court Administrator or Designee
District Court Executive

County Attorney

Juvenile Court Executive

- LEGAL STATUS OF CONTRACTOR
Sole Proprietor
Non-Profit Corporation
For-Profit Corporation
Partnership
X Government Agency

Court Counsel
Availability of Funds
State Division of Finance

## **ATTACHMENT A: TERMS AND CONDITIONS – Bailiff and Security Contracts**

1. **AUTHORITY:** Provisions of this contract are pursuant to the authority set forth in 11-13-101 commonly referred to as the Inter-local Cooperation Act, 17-22-2, 17-22-27 and UC78A-2-602.
2. **SEPARABILITY CLAUSE:** A declaration by any court, or any other binding legal source, that any provision of this contract is illegal and void shall not affect the legality and enforceability of any other provision of this contract, unless the provisions are mutually dependent.
3. **RENEGOTIATION OR MODIFICATIONS:** This contract may be amended, modified, or supplemented only by written amendment to the contract, executed by the same persons or by persons holding the same position as persons who signed the original agreement on behalf of the parties hereto, and attached to the original signed copy of the contract. Automatic renewals will not apply to this contract.
4. **TERMINATION:** This contract may be terminated in advance of the specified expiration date, by either party, upon ninety (90) days written notice being given the other party. On termination of this contract, all accounts and payments will be processed according to the financial arrangements set forth herein for approved services rendered to date of termination. Termination shall not affect the rights and duties of either party as may be required by law.
5. **NONAPPROPRIATION OF FUNDS:** The provision of this contract placing an obligation upon the State to compensate the Sheriff for services is contingent upon, and limited to the extent that, funds are appropriated and available for this purpose by the Legislature. The State will actively seek adequate funding from the Legislature to fulfill the obligations of this contract. In the event that funds are not appropriated or otherwise available to honor the terms of this contract, the State may renegotiate the agreement or may terminate the agreement without penalty upon 30 days written notice to the Sheriff.
6. **INDEMNIFICATION:** The State shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of State employees in connection with the performance of this contract. The County shall be responsible for all damages to persons or property that occurs as a result of the negligence or fault of the County in connection with the performance of this Contract. The County shall indemnify and hold the State free and harmless from all claims that arise as a result of the negligence or fault of the County, its officers, agents and employees. The obligation of a party to indemnify the other pursuant to any provision of this agreement is subject to the terms and conditions of the Governmental Immunity Act of Utah, UCA 63G-7-101*et seq.*, including, but not limited to, the liability limits contained therein.
7. **EMPLOYMENT STATUS:** All persons performing duties under the terms of this Contract shall be County employees and shall have no right to any state pension, civil service, workers' compensation, unemployment or any other state benefit for services provided hereunder. The County will have full supervision authority, subject to the Scope of Work, over all persons employed to carry out the requirements of this Contract.
8. **PAYMENT:** Payments are normally made within 30 days following the date a correct invoice is received. All invoices must be submitted in an approved format.
9. **COMPENSATION:** The compensation paid by the State to the County pursuant to this Agreement shall be used only for the services provided pursuant to the Agreement, and County shall not have the authority or right to use such funds for other purposes. The State shall compensate the County for salary and benefits of sworn officers in conformance with the provisions of Sections 17-22-2, 17-22-23, 17-22-27 and UC78A-2-602, and Rule 3-414 of the Code of Judicial Administration. This agreement shall not serve to compensate County for costs related to security administration, supervision, travel, equipment and training.
10. **EQUIPMENT:** The equipment used by County personnel shall be provided and maintained by the County except for elements of the security systems (i.e. magnetometers, surveillance and other monitoring devices) provided by the State.

11. **NOTICE:** The Sheriff shall respond to a request for assistance with additional law enforcement personnel and services, without compensation, upon the occurrence of a breach of peace or when a security problem is anticipated.
12. **PROBLEM RESOLUTION:** The State's designated representative or representatives shall have the right, upon request, to meet and confer with the Sheriff, and/or his designated contract representatives, to discuss any problems arising from the Sheriff's performance or the individual deputies performing services under this Agreement, the costs for future periods under this contract, or any other issues related to this contract.
13. **CONTINUITY OF COURT OPERATIONS:** The Sheriff shall continue to provide bailiff and security services to the State if a natural disaster or other disruption forces the Court to modify its operations or convene at an alternate site(s) within the County.
14. **SECURITY INCIDENT REPORTING:** The Sheriff shall report all breaches of security, criminal acts, or threats to the Court or court personnel to the Local Security Coordinator. Such incidents include, but are not limited to: threats, suspicious incidents, vandalism, theft/burglary/robbery, medical assists and assaults. The Sheriff further agrees to provide a written report of the incident to the Local Security Coordinator on the Sheriff's standard departmental report form or on a Court Security Incident form provided by the local Security Coordinator. This will be completed as soon as is reasonably possible after the incident.
15. **SECURITY REVIEWS:** The Sheriff will cooperate with the Court Security Director and Court Facilities Manager in conducting periodic court security reviews to determine compliance with physical and procedural security standards and will assist in correcting any deficiencies identified. To the extent possible, the Sheriff will implement the standards set forth in the Model Post Orders document (as applicable) dated March, 2014, and provided by the Courts.
16. **TRAINING:** The Sheriff agrees to send bailiffs and court security officers to the 16 hours of basic court security training provided free-of-charge by the Court, as soon as possible after their appointment.
17. **ENTIRE CONTRACT:** This Contract, including all Attachments and documents incorporated hereunder, constitutes the entire agreement between the parties with respect to the subject matter, and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written.

(Revised 04/22/2016)



**GRAND COUNTY COUNCIL MEMBERS**  
**Elizabeth A. Tubbs (Chair) · Jaylyn Hawks (Vice Chair)**  
**Chris Baird · Ken Ballantyne · A. Lynn Jackson**  
**Mary McGann · Rory Paxman**

May 3, 2016

To Whom It May Concern:

The Grand County Council recognizes the importance of economic development as a strategy to enhance quality of life for our residents and improve the long-term resilience of our community. In particular, the Council is supportive of efforts to identify and create business opportunities that complement our area's well-established recreation and tourism industry. Expanding nascent activities and creating new industry clusters in the Moab area will bring balance to our employment opportunities, income potentials, and revenue sources.

Grand County is pleased to support the Rural Business Expansion and Retention (BEAR) proposal submitted by Ms. Elizabeth McCue, Director of the Moab Small Business Development Center and Business Resource Center. The stated purpose of the grant request is "to develop evidence-based planning and direction, strategic program development and effective implementation to begin to diversify and balance the economy of Moab, Utah."

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Tubbs". The signature is fluid and cursive, with the first name and last name clearly legible.

Elizabeth A. Tubbs

Grand County Council Chair

**AGENDA SUMMARY**  
**GRAND COUNTY COUNCIL MEETING**

MAY 17, 2016  
Agenda Item: U

<b>TITLE:</b>	Public Hearing to Hear Public Comment on a Proposed Resolution Approving a Conditional Use Permit application for Red Cliffs RV Park, located at 1151 S. Highway 191, in a Highway Commercial Zone District
<b>FISCAL IMPACT:</b>	none
<b>PRESENTER(S):</b>	Community Development Department

**Prepared By:**

Mary Hofhine  
Community  
Development  
Department

**FOR OFFICE REVIEW  
ONLY:**

**Attorney Review:**

N/A

Council Policy is to wait until the next regular meeting of the Council to act on the public hearing agenda item in order allow for additional public input.

**RECOMMENDED MOTION:**

Move to adopt the proposed resolution approving a conditional use permit for Red Cliffs RV Park with the following conditions:

1. Applicant shall provide cut sheets for all exterior lighting to comply with Sec. 6.6 of the Grand County Land Use Code at building permit;
2. Due to the proximity to residential properties, two policies shall be instituted:
  - a. No outside burning, and
  - b. Noise curfew of 10:00 p.m.

**STAFF RECOMMENDATION**

Approval

**BACKGROUND:**

See attached staff report.

**ATTACHMENT(S):**

1. Proposed Resolution
2. Staff Report
3. Site Plan
4. Aerial
5. Agency Signature
6. Horrocks drainage approval dated 4/13/16

**RESOLUTION \_\_\_\_\_ 2016**

**A RESOLUTION OF THE GRAND COUNTY COUNCIL  
APPROVING A CONDITIONAL USE PERMIT FOR  
RED CLIFFS RECREATION VEHICLE PARK**

**WHEREAS**, Colin Fryer (Applicant) is the property owner and project developer of Parcel No. 02-0007-0103 located in Grand County, Utah;

**WHEREAS**, the property consists of approximately .62 acres of undeveloped land located at 1151 So. Highway 191, (end of A-1 Storage Lane) in Grand County, Utah;

**WHEREAS**, the subject property is zoned Highway Commercial (HC) as more specifically described in the LUC;

**WHEREAS**, the Applicant has submitted a conditional use permit application for a Recreational Vehicle Park and Campground to include RV full hook-up spaces, manager's residence, office space, and additional overflow parking;

**WHEREAS**, the Applicants have met the requirements of the LUC for the HC zone district, the Conditional Use Permit criteria, as well as the use-specific standards for Recreational Vehicle Parks and Campgrounds, as submitted;

**WHEREAS**, the Grand County Planning Commission reviewed the subject application in a public hearing on May 3, 2016 and recommended approval to the County Council with the following conditions;

1. **Lighting Cut Sheets.** Applicant shall provide cut sheets for all exterior lighting to comply with Sec. 6.6 of the Grand County Land Use Code;
2. **Compatibility to Surrounding Residential Areas.** Due to the proximity to residential properties, two policies shall be instituted:
  - a. No outside burning, and
  - b. Noise curfew of 10:00 p.m.

**WHEREAS**, due notice was given that the County Council would meet to hear and consider this application in a public hearing on May 17, 2016; and

**WHEREAS**, County Council has considered all evidence and testimony presented with respect to the subject application.

**NOW THEREFORE BE IT RESOLVED**, that the Grand County Council hereby approves the Conditional Use Permit for Red Cliffs RV Park as illustrated on the Site Plan dated March 24, 2016 from Keogh Roesnberg, attached as Exhibit "A" with the following conditions:

1. Applicant shall provide cut sheets for all exterior lighting to comply with Sec. 6.6 of the Grand County Land Use Code at building permit;
2. Due to the proximity to residential properties, two policies shall be instituted for the site:
  - a. No outside burning, and
  - b. Noise curfew of 10:00 p.m.

**APPROVED** by the Grand County Council in open session this \_\_\_\_ day of May, 2016 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Absent:* \_\_\_\_\_

**ATTEST**

**Grand County Council**

\_\_\_\_\_  
Diana Carroll, Clerk/Auditor

\_\_\_\_\_  
Elizabeth Tubbs, Chair

DRAFT



# STAFF REPORT -

**MEETING DATE:** May 17, 2016  
**TO:** Grand County Council  
**FROM:** Community Development Department  
**SUBJECT:** Conditional Use Application Red Cliffs RV, Colin Fryer Applicant

## **PLANNING COMMISSION RECOMMENDATION**

The Grand County Planning Commission reviewed the referenced application in a public hearing on April 27, 2016 and forwarded a favorable recommendation to the County Council.

1. **Lighting Cut Sheets.** At building permit application the Applicant shall provide cut sheets for all exterior lighting to comply with Sec. 6.6 of the Grand County Land Use Code.
2. **Compatibility to Surrounding Residential Areas.** Due to the proximity to residential properties, two policies shall be instituted:
  - a. No outside burning, and
  - b. Noise curfew of 10:00 p.m.

## **BACKGROUND**

### **A. General**

This application is submitted by property owner and project developer, Colin Fryer (Applicant). The subject site is zoned Highway Commercial (HC) and consists of approximately 0.62 acres. The Applicant is developing a small RV/campground with full-service sites located off Highway 191 on an approximately 40 foot unmaintained right of way. Surrounding properties are zoned HC and includes commercial and single-family residential uses.

The applicant is requesting a conditional use permit and site plan approval for a campground and recreational vehicle (RV) park (LUC Sec. 3.2.2.L). The proposed site plan includes:

- Existing 1,040 square foot home,
- 6 full service RV/trailer sites,
- Storage shed,
- additional parking stalls,
- enclosed trash
- Sec. 6.10 Compatibility Standard, the application will provide compliant fencing to accomplish the screening requirement.

### **Campground & General Development Standards**

#### **Campground Use-specific Standards**

Recreational vehicle/ camp parks are a conditional use in the HC zone district. The application complies with the use-specific standards developed for campgrounds found in Use Specific Standards 3.2.3L

1. *Each space may be occupied only by persons using travel trailer, truck campers, small cabins (traditional KOA-style) and tents for overnight, short duration or seasonal camping.*

Site plan demonstrates compliance with this requirement.

2. *Each RV / travel trailer space shall be at least 1200 square feet in area.*

Site plan demonstrates compliance with this requirement.

3. *Each cabin or tent space shall be at least 800 square feet in area.*

No cabin sites are proposed

4. *Each space shall be at least 30 feet in width.*

Each space is 30 feet in width.

5. *Each park shall be served by public water and sewer facilities.*

All utilities are available to the site. GWSSA and RMP have approved the proposal.

6. *No space shall be located more than 200 feet from water and sewage service building.*

RV spaces are full hook-up, which includes water, sewer, and power.

7. *The County may require landscaping and screening pursuant to the provisions of Sec. 6.4, Landscaping and Screening.*

This lot is unique in that this tract does not have a bounding property line on a street, only an easement from a non-maintained right of way. The landscaping standards are to create an attractive appearance along streets and highways as a screening device. This site would not accomplish that purpose.

8. *One tree of a species suitable for the area shall be provided for each two spaces, and shall be located in close proximity to those spaces. (Existing trees on the site may be used to satisfy this requirement.)*

Site plan demonstrates compliance with this requirement, there are no trees on the site and the Applicant will need to plant and irrigate trees to accomplish this purpose.

#### **Site Plan & General Development Standards**

##### *A. Parking, Loading, and Refuse Areas*

Each RV space has parking. Additionally, the central parking area meets the specifications for required number of spaces per the land use code:

2 spaces / residential dwelling = 2 spaces

##### *B. Driveways and Access*

Facility ingress and egress is off a 40 foot non-maintained right of way. Fire Department has approved the site. The Applicant has contacted UDOT for an encroachment permit

##### *C. Fences and Walls*

See "H. Landscaped Screening and Compatibility Standards" below.

##### *D. Signs*

No signage is being proposed

##### *F. Lighting*

The Applicant shall provide cut-sheets meeting the requirements of Sec. 6.6, Lighting prior to building permit approval.

##### *G. Drainage*

Sec. 6.7 Drainage, the applicant is not proposing more than 7,000 square feet of impervious area, a drainage waiver was approved by the County Engineer.

##### *H. Compatibility Standards and Landscaped Screening*

The entire property is bound by the HC zone district; the southwest and northwest boundaries have single family homes. The applicant plans screening pursuant to *Sec. 6.4 of the Land Use Code*.

*I. Operational Performance Standards*

Compliance with operational performance standards is an ongoing obligation. Impacts on the adjacent single family residence should be given consideration during the site planning process. Planning Commission must consider issues such as late night / early morning noise, parking area lights, and fire/smoke when considering the adequacy of proposed screening and landscaping. Due to the proximity to residential properties a no outside burn and a noise curfew of 10:00 pm policy is advised.

*J. Utilities*

Existing utilities are on site, Grand Water and Sewer Service Agency (GWSSA) has provided an approval signature.

**Conditional Use Permit Standards**

A conditional use because of its unique characteristics or potential impacts may not be compatible in some areas or may be compatible only if certain conditions are required that reasonably mitigate said impacts.

**1. Effect on Environment and 3. External Impacts**

This site is bounded by HC zone district, with residential houses on lots at the southwest and east side of the property. The applicant plans to provide a six foot high screening fence on the entire property line.

**2. Compatible with Surrounding Area**

The site is adjacent to residential areas. A policy of no outside burning and a noise curfew of 10:00 PM are advised.

**4. Infrastructure Impacts Minimized**

All utilities are available; a drainage waiver has been approved by Horrocks Engineers. The Moab Valley Fire Department has provided approval.

**5. Consistent with the LUC and General Plan**

The campground meets the use-specific standards outlined in the land use code. The location is within the commercial corridor as identified in the General Plan.

**6. Parcel Size**

No additional acreage is required.

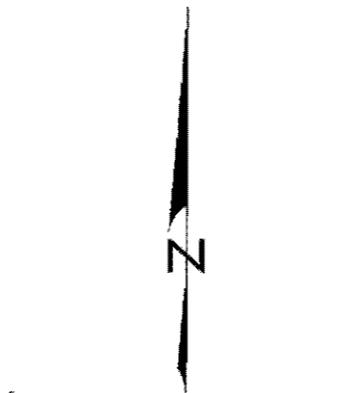
**Public Notices**

The public notice for CUP review was posted in the newspaper of general circulation *U.C.A. 17-27a-205* and *Land Use Code Sec. 9.1.8 B.2.*, posted on site, and the Utah Public Meeting Notice Website at <http://pmn.utah.gov/>, as required for public hearing.

# TOPOGRAPHIC SURVEY

FOR A PARCEL LOCATED IN  
SECTION 7, T26S, R22E, SLB&M,  
GRAND COUNTY, UTAH

DATE: 3/24/18  
DRAWN BY: K.G.  
CHECKED BY: B.E.A.  
SCALE: 1"=20'  
DWG:



SCALE: 1"=20'  
(16" X 24" ONLY)  
LOCATED IN  
SEC 1, T26S,  
R21E, SLB&M.

VICINITY MAP:  
(NO SCALE)



**LEGEND:**

- ⊕ FOUND QUARTER CORNER
- ⊙ EX. TELEPHONE PED.
- ⊙ EX. POWER POLE
- ⊙ EX. WATER METER
- ▨ TO BE RELOCATED
- ⊙ EX. TREE TO REMAIN
- ⊙ PROPOSED TREE
- SECTION/CENTERLINE LINE
- ADJOINING LOT LINES
- SUBJECT LOT LINES
- BUILDING SETBACK
- EXISTING ASPHALT
- EXISTING FENCE
- EXISTING EASEMENT
- EXISTING SEWER
- EXISTING OVER HEAD POWER
- EXISTING WATER LINE

**NOTES:**

1. PROPERTY ZONED HG
2. ADJACENT USES INCLUDE RR (NORTH), HG (SOUTH), DB (WEST), & SLR-2 (EAST).
3. COMPLIANT FENCING REQUIRED ADJACENT TO RESIDENCES, PER COUNTY STANDARDS.

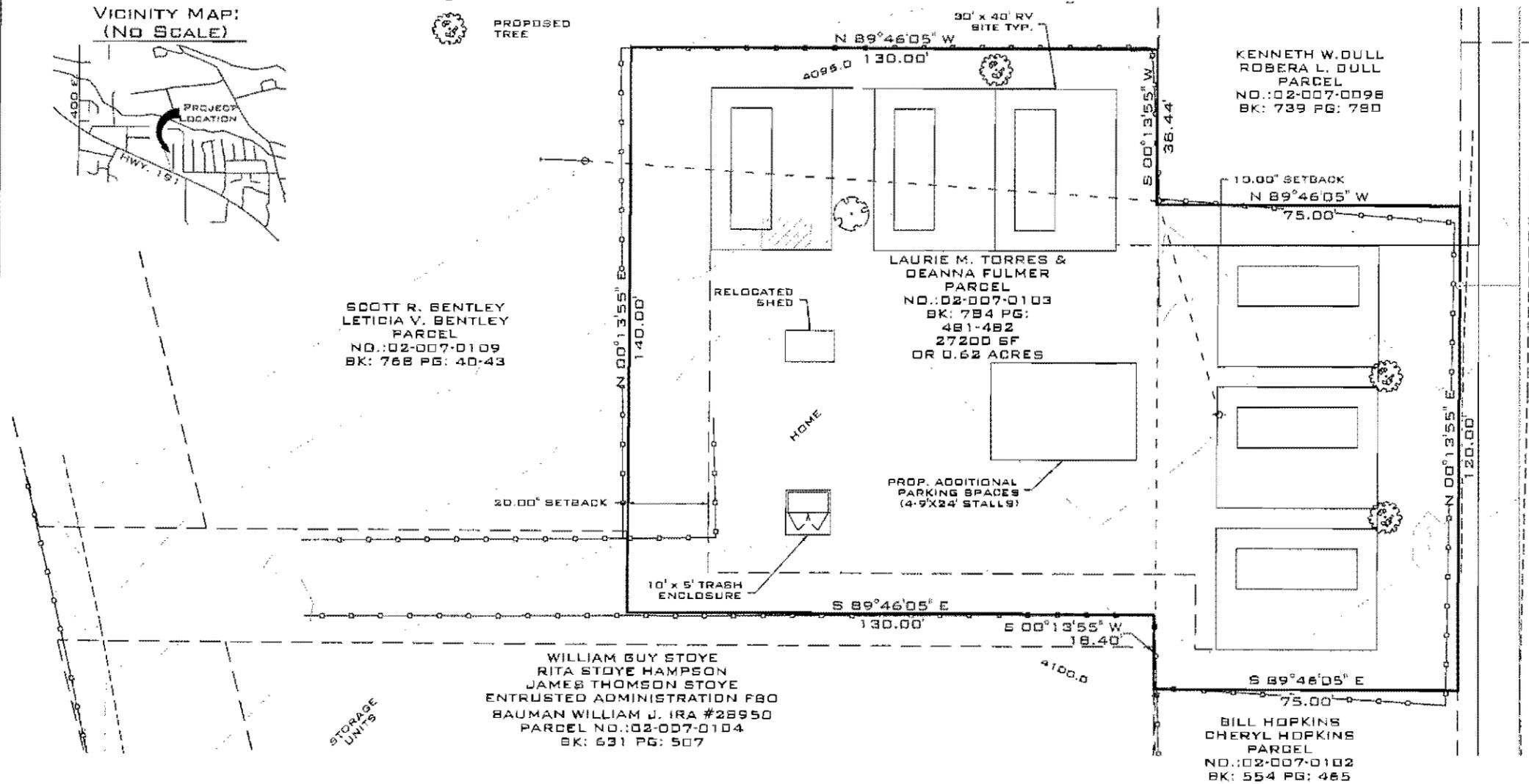
SCOTT R. BENTLEY  
LETICIA V. BENTLEY  
PARCEL  
NO.: 02-007-0109  
BK: 768 PG: 40-43

WILLIAM GUY STOYE  
RITA STOYE HAMPSON  
JAMES THOMSON STOYE  
ENTRUSTED ADMINISTRATION FBO  
BAUMAN WILLIAM J. IRA #28950  
PARCEL NO.: 02-007-0104  
BK: 631 PG: 507

LAURIE M. TORRES &  
DEANNA FULMER  
PARCEL  
NO.: 02-007-0103  
BK: 784 PG:  
481-482  
27200 SF  
OR 0.62 ACRES

KENNETH W. DULL  
ROBERA L. DULL  
PARCEL  
NO.: 02-007-0098  
BK: 739 PG: 780

BILL HOPKINS  
CHERYL HOPKINS  
PARCEL  
NO.: 02-007-0102  
BK: 554 PG: 465



REVISIONS	DATE

**KEOGH ROSENBERG**  
LAND SURVEYING  
ENGINEERING  
CIVIL + STRUCTURAL

P.O. BOX 218  
80 E. CENTER ST.  
MOAB, UTAH 84932  
PH (435) 259-2171

TOPOGRAPHIC SURVEY  
FOR  
COLIN FRYER

SHEET  
1  
OF 1 SHEETS

\\FILESERVER\DOCUMENTS\KENNY\COLIN FRYER RV PARK #2\FROM BRANDON\FRYER RV PARK 2.DWG



A-1 Storage

Image Landsat

Google earth

1997

38°33'19.58" N 109°32'00.62" W elev 1283 m eye alt 1.64 km

3. **POST MEETING.** If the revised sets of plans are not approved as submitted two corrected sets of plans both large and small shall be submitted that comply with the Planning Commission's approval.

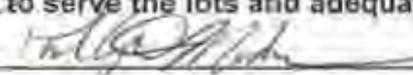
**Site Plan:** The applicant shall submit a site plan drawn to an acceptable scale (as deemed by the Zoning Administrator) to display the following:

1. Parking, loading, and refuse areas;
2. Access ways, including points of ingress, egress;
3. Sidewalks and trails;
4. Fences and walls;
5. Location and dimensions of structures and signs;
6. Location and type of outdoor lighting;
7. Typical elevations of such buildings;
8. Landscaping and screening;
9. Topography;
10. Specific areas proposed for specific types of land use;
11. Lots or plots;
12. Any areas with slopes in excess of 30 percent;
13. Any areas in a natural drainage or the 100 year floodplain;
14. Existing and proposed easements, areas proposed for public dedication; and
15. Building footprint(s), water and sewer lines, easements and drainage improvements in Digital Format, if available. Digital information shall be provided in the latest version of AutoCAD, or other format compatible with the County GIS as may be specified by the Zoning Administrator (currently preferred in State Plane Coordinates - Utah Central Zone or the Valley Coordinate System) with all measurements stated in feet
16. Compatibility standards, LUC Sec. 6.10

**Application Fee.** The process / filing fee of \$350.00 shall be paid in full.

**REQUIRED SIGNATURES** (or attach letter of approval by the agency)

**Agency will review for ability to serve the lots and adequate existing and future easements.**

Moab Valley Fire Department 

Grand County Road Supervisor UDOT

Grand Water and Sewer Service Agency 

Rocky Mountain Power 

Property Owner's Signature:  Date: \_\_\_\_\_

2162 West Grove Parkway  
Suite #400  
Pleasant Grove, Utah 84062  
www.horrocks.com



Tel: 801.763.5100  
Salt Lake line: 532.1545  
Fax: 801.763.5101  
In state toll free: 800.662.1644

April 13, 2016

Mary Hofhine, Development Coordinator  
Grand County  
125 E. Center  
Moab, Utah 84532

**Subject: Colin Fryer RV, 1151 S. Hwy 191 – Request for Drainage Plan Waiver – Approval**

Dear Mary:

I have reviewed the submitted documents received April 15, 2016 and the request for a waiver of providing a drainage report for Colin Fryer Property located at 1151 S. Hwy 191. Per Grand County Construction Standards Section 2.E requirements for a Waiver of Drainage Study and information submitted is listed below:

Sec. 2.E. Waiver of a drainage study requirements

1. A waiver of the drainage Study requirements will be considered when the following conditions exist:
  - a. The amount of impervious surface will not be increased to more than 15 percent of the lot area and is less than 7,000 square feet. – Response: The submitted response shows calculations for a net change of impervious area of less than 15% of the lot area (less than 7000 square feet). This condition is has been met.
  - b. The site is not characterized by unusual topography of drainage patterns. – Response: The topographic map shows the site sloping gently to the north east with no unusual drainage patterns. No unusual topographic or drainage patterns exist.
  - c. The site does not lie within the boundaries of the 100 year floodplain or other significant floodplain or floodway. – Response: The submitted map shows the parcels outside of the FIRM 100 flood zone.

Upon review of the submitted documents and submitted information the request for waiver of the drainage report conditions have been meet and is approved.

This review was for the waiver of drainage report and does not include a review of any other code requirement as they were not part of the information submitted.

Please contact me if you have questions or need additional information.

Sincerely,  
HORROCKS ENGINEERS

A handwritten signature in blue ink, appearing to read "David Dilman".

David Dilman, P.E.

Principal

cc: file

# A-1 Storage

1191 South Hwy 191  
Moab, UT 84532  
435-259-5991

Proposed Conditional Use, 1151 S. Highway 191  
Items for Discussion, prepared by Mike Stoye, General Manager, A-1 Storage LLC

May 17, 2016

I have outline some issues that I believe should be addressed by the County before going to the next step regarding the proposed subject request for property use.

1) It is not clear to me who owns or is responsible for the 40 ft easement on the listed various GC tax statements (including 2015) for Parcel 02-0007-0104, a Stoye family property managed by A-1 Storage LLC. I believe my Dad, Fred Stoye, purchased the property about 45 years ago. I realize that we do not now pay taxes on the 0.21 acre strip of land at the West boundary (see GC tax doc attached). I was able to have this tax removed a few years ago when I requested this to the Board of Equalization, but there is no indication that the property was relinquished or changed hands then. (A-1 Storage traffic constitutes only about 1-2% [est.] of total traffic on this easement, aka A1 Ave, per Google--that's why the tax relief.) Some time around that time, I asked the Planning Dept if they could take this easement from us, but they said no, it wasn't wide enough, and that they would not improve the access point to A1 Ave from the highway, nor the easement. But is it county "controlled" property?

Judy Powers is here with me today and did some research at County records and was unable to clear up definitively who is responsible for maintenance and so on here, and why the **Red Sands Rd** was not available for use by the developers of 1151 S. Highway, which is adjacent to this road on its East boundary and to our understanding is an similar easement. Then there is another 20 ft. easement on the North boundary of A-1 Storage, which has questionable identity or ownership, specifically to be used only by the new developers for access from the West easement. (please see the attached plan view)

2) Not sure why, but A-1 Storage was not notified directly of the Planning Commission hearing about 3 weeks ago. I did *not* see the small sign around the corner of the North edge of our property, opposite end of property away from our office and missed it in the TI public notices, so I did not attend the meeting. However, I was informed about it later by someone who attended.

3) Current usage of the A1 Ave, not including new developer, includes four businesses (Enterprise Auto Rental, A-1 Storage, Lazy Lizard, and Tic-Tac-Tow\*) and 2 or more residences, including Dennis Wilberg and the Ainge family. Note that Enterprise does not use the easement on the West side of A-1, and A-1 Storage traffic usage is only about 14% of the time. I tried to estimate the amount of **current traffic** each day on A1 Ave, which is difficult since there are large hourly, daily, and seasonal variations: down the West side of A-1, majority is Lazy Lizard Hostel, maybe 1 vehicle every 45 minutes or 32 per day. All others maybe 12 per day. This would increase with the new development by what? Say 50 a day?

If you add the Enterprise and 86% of A-1 traffic coming in the from the highway, which I estimate at maybe (24+6) per day, that's a total of 74 each day or about 3/hr. Add the new development **future traffic** to that and you are up to 5/hr or 124/day. The new development would therefore add an estimated 67% (est.) to the load. During high usage times, the total traffic is now and would be much higher, probably peaking at 3-4 times. Construction vehicles might also be a concern in the beginning, and large vehicles, since there is a sharp turned East onto the other 20 ft easement to the new property.

4) A-1 Storage already has problems related to the current level of traffic, which would inevitably become much worse, maybe exponentially. Our tenants complain about the level of **dust** entering their units (there are 20 units accessed on the West side) now. There are **safety** concerns with no posted speed limit, and the fact that traffic skirts along the units to avoid bumps and water damage toward the West fence. More traffic will definitely be a safety concern for tenants who happen to be parked, loading & unloading, at their unit on that side. And at the highway entrance, our **mailbox** which is the closest one to the narrow access (photos), has been run into twice now in two months, but not once in the five plus years before that.

5) Then there are the **water/rain/flood** issues. Long ago, Carroll's Storage put up a sand berm to redirect the natural flow of rainwater to our side of the property line fence. So during strong rains, the terrain gets washed away, and during the massive storms, big ruts are carved out (OHV only). As I mentioned earlier, this has literally caused thru traffic to move to the East off of the easement, onto A-1 Storage property. This can only get worse with the new development if not addressed. (see photo). Also, a lot of water drains to the North inside our property, and ends up partly on the North easement, then travels West toward the fence. Will this be allowed to continue?

I think these talking points need to be discussed and addressed before proceeding with the usage change request. I can think a few possible solutions, but would rather hear from the other parties present first.



**GRAND COUNTY**  
**2015 Notice of Property Valuation & Tax Change**

**THIS IS NOT A BILL**  
**DO NOT PAY**

DIANA CARROLL  
 GRAND COUNTY CLERK/AUDITOR  
 125 E. CENTER STREET, MOAB, UT 84532 • (435) 259-1321

STOYE JAMES T TRUSTEE  
 1191 S HWY 191  
 MOAB UT 84532-0000

Parcel Number: 02-0007-0104  
 Tax District: 002  
 Property Last Reviewed: 05/16/2013

PROPERTY DESCRIPTION (NOT FOR LEGAL DOCUMENTS)

PROPERTY ADDRESS

BEG POINT WHICH BEARS S 1085.30 FT & W 200 FT FROM NE COR SW¼ SEC 7 T26S R22E & PROC THENCE W 100 FT; N 33°39'W 125.2 FT; N 13°39'W 231 FT M-O-L; E 270.4 FT T HENCE S 283.0 M-O-L TO POB; 1.15 AC\*\*\* SUBJECT TO 40 FT EASEMENT ALONG W BNDRY; APPROX. 0.21 AC, THEREFORE FOR TAXING ONLY; 1.24 AC

S HWY 191 1191

**MARKET VALUE OF YOUR PROPERTY**

Property Type	Last Year's Market Value	This Year's Market Value
COMMERCIAL BUILDING	492,294	492,294
COMMERCIAL LAND	228,155	228,155
<b>Total Property Value</b>	<b>720,449</b>	<b>720,449</b>

**LAST YEAR, CURRENT, AND PROPOSED PROPERTY TAXES**

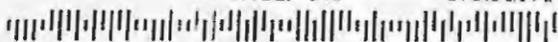
Taxing Entities	Taxes Last Year	Tax if No Budget Change	Tax if Proposed Budget Approved	Budget Difference	Percent Difference	Public Meetings Will Be Held
GRAND COUNTY GENERAL	1,301.13	1,294.65	1,294.65	0.00	0.00%	COUNCIL CHAMBERS DEC 1, 2015 @ 6:00 P.M.
SCHOOL - GENERAL	3,518.67	3,435.10	3,560.46	125.36	3.65%	264 S. 400 E. AUG 5, 2015 @ 6:00 P.M.
SCHOOL - STATE BASIC LEVY	1,022.32	1,250.70	1,250.70	0.00	0.00%	264 S. 400 E. AUG 5, 2015 @ 6:00 P.M.
GRAND COUNTY - DEBT	105.91	91.50	91.50	0.00	0.00%	COUNCIL CHAMBERS-DEC 1, 2015 @ 6:00 P.M.
STATE A&C	9.37	8.65	8.65	0.00	0.00%	COUNCIL CHAMBERS-DEC 1, 2015 @ 6:00 P.M.
COUNTY A&C	333.57	327.80	327.80	0.00	0.00%	COUNCIL CHAMBERS-DEC 1, 2015 @ 6:00 P.M.
LIBRARY	335.73	329.25	329.25	0.00	0.00%	COUNCIL CHAMBERS DEC 1, 2015 @ 6:00 P.M.
GRAND COUNTY CEMETERY	112.39	110.23	110.23	0.00	0.00%	2651 SPANISH VALLEY DR DEC 8, 21015 @ 6:00 PM
WATER CONSERVANCY	105.19	99.42	99.42	0.00	0.00%	3025 SPANISH TRL RD-DEC 10, 2015 @ 7:00 P.M.
MOAB MOSQUITO ABATEMENT	169.31	165.70	165.70	0.00	0.00%	1000 SAND FLATS RD-DEC 10, 2015 @ 6:00 P.M.
MOAB VALLEY FIRE	347.98	340.77	412.82	72.04	21.14%	45 S 100 E - DEC 9, 2015 @ 6:00 P.M.
LIBRARY - DEBT	85.01	79.97	79.97	0.00	0.00%	COUNCIL CHAMBERS-DEC 1, 2015 @ 6:00 P.M.
<b>Total Property Tax</b>	<b>7,446.56</b>	<b>7,533.74</b>	<b>7,731.14</b>	<b>197.40</b>		<b>THESE VALUES DO NOT INCLUDE PERSONAL PROPERTY</b>

**COUNTY BOARD OF EQUALIZATION**

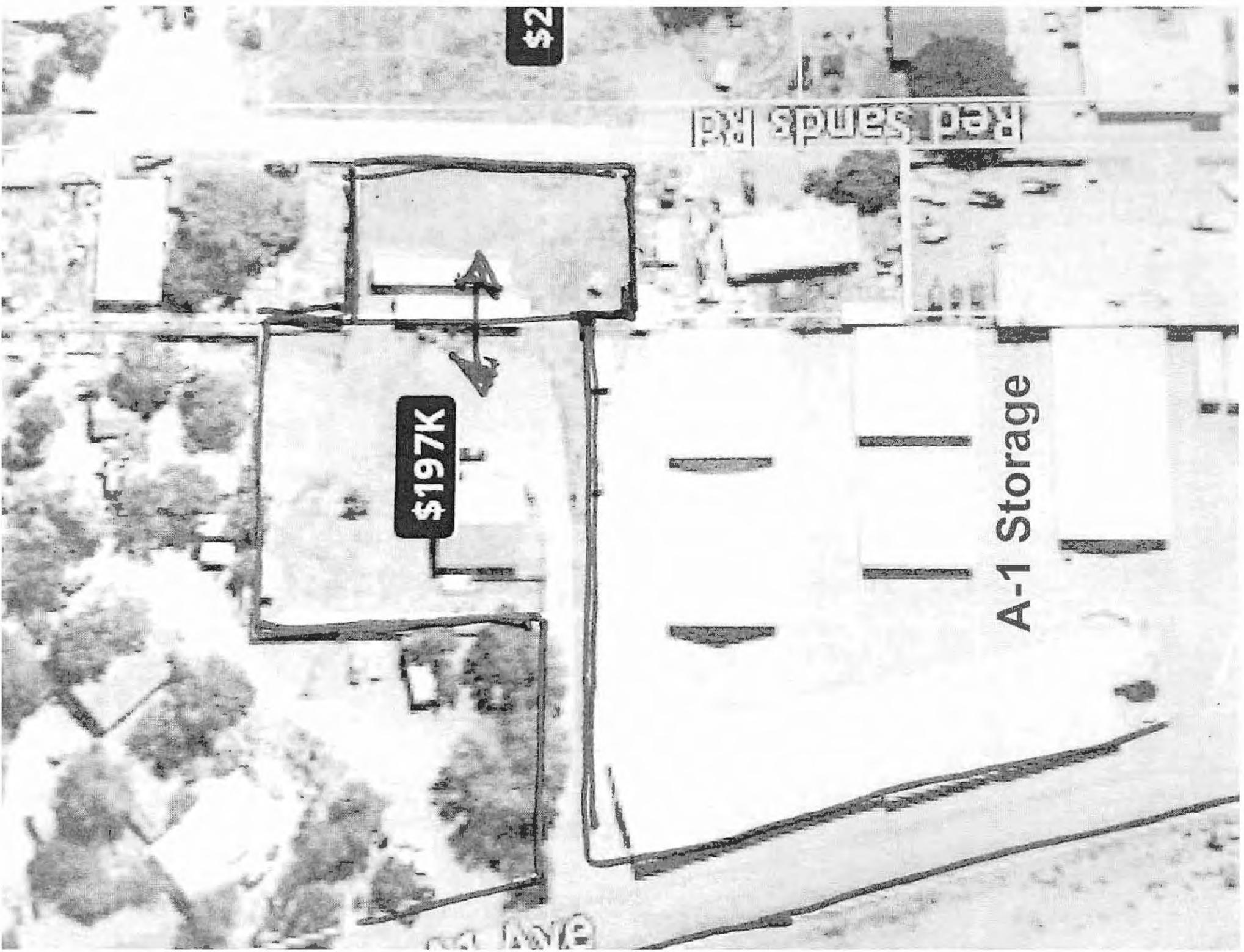
Please review carefully the information shown on this notice. Appeals of market value of your property shown must be filed with the Board of Equalization within 45 days of mailing this notice, but not later than September 15, 2015. Appeal forms are available at [www.grandcountyutah.net](http://www.grandcountyutah.net) or in the Grand County Assessor's Office (435) 259-1329. BOE hearings will be held September 2 - 4, 2015.

\*\*\*\*\*SNGLP 840

B1 313 3/3-P2 T2



STOYE JAMES T TRUSTEE  
 1191 S HWY 191  
 MOAB UT 84532-0000



\$2

Red Sands Rd

\$197K

A-1 Storage

...AYE





